

Arthur B. Cass, Connell.  
 Will T. Howard, Coupeville.  
 William W. Woodward, Darrington.  
 Herbert P. Fisher, Garfield.  
 Edwin R. Larson, Hamilton.  
 Tillman E. Kamerer, Hanford.  
 Stella F. Fix, Kapowsin.  
 Charles C. Mulligan, Kirkland.  
 Ernest R. Anderson, La Center.  
 Margaret J. Chilberg, La Conner.  
 Curtis B. Bay, Lynden.  
 Carl M. Jensen, Manson.  
 Andrew H. Byram, Millwood.  
 Anna M. Robertson, Montesano.  
 James C. Blevins, Naches.  
 Hazel P. MacVicker, Port Blakely.  
 George W. Edgerton, Puyallup.  
 John W. Cowdery, Rainier.  
 Lovilla R. H. Bratt, Richmond Beach.  
 Fred B. Goldsworthy, Rosalia.  
 James Lane, Roslyn.  
 Charles M. Perkins, Seattle.  
 Thomas F. Laurenson, Sequim.  
 Warren P. Cressy, South Bend.  
 Robert O. Logsdon, Sprague.  
 Emmett V. Fleming, Springdale.  
 Albert C. Sly, Stevenson.  
 James H. Adams, Waitsburg.

## WISCONSIN.

John Mehl, Alma.  
 Carl L. Christianson, Bloomer.  
 Sidney C. Goff, Elkhorn.  
 Thomas A. Walby, Hudson.  
 Theodore B. Ottum, Macfarland.  
 William A. Devine, Madison.  
 Walter F. Martin, Mukwonago.  
 George L. Leverenz, New Holstein.  
 Nellie I. McGill, Oregon.  
 Ernest P. G. Schlerf, Oshkosh.  
 Robert I. Dugdale, Platteville.  
 Henry J. LaGrandeur, Somerset.  
 Frank I. Conner, Sun Prairie.  
 Lewis H. Cook, Wausau.  
 Herman C. Gralow, Woodville.

## WITHDRAWALS.

*Executive nominations withdrawn from the Senate January 7, 1924.*

## MEMBER OF UNITED STATES SHIPPING BOARD.

Edward P. Farley, of Illinois, to be a member of the United States Shipping Board.

## POSTMASTER.

Charles C. Sommers to be postmaster at Clifton Heights, in the State of Pennsylvania.

## HOUSE OF REPRESENTATIVES.

MONDAY, January 7, 1924.

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

We most humbly ask Thee, our Heavenly Father, for Thy richest blessings to rest upon our beloved country, upon its Representatives in Congress, and upon him who presides over its deliberations. Direct them, O God, in their manifold duties and in their nation-wide responsibilities. Enable us always to subject ourselves to the blessed influences of Thy Spirit, who is the guiding intelligence of all that is great and good in the being of man. We ask all to the honor and glory of Thy holy name. Amen.

The Journal of the proceedings of Thursday, January 3, 1924, was read and approved.

## EXTENSION OF REMARKS.

Mr. JOST. Mr. Speaker, I introduced this morning a resolution to postpone action upon the soldiers' bonus legislation until such time as an adequate pension system has been provided and enacted. I ask unanimous consent to insert in the RECORD an interview of mine appearing in yesterday's New York Times, which expresses my view upon that subject.

The SPEAKER. The gentleman from Missouri asks unanimous consent to extend his remarks in the RECORD by inserting therein an interview with himself, which appeared yesterday in the New York Times, relative to the soldiers' bonus legislation. Is there objection?

Mr. SNELL. Mr. Speaker, for the present I object.

## MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Craven, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 1539. An act extending the time for the construction of a bridge across Fox River by the city of Aurora, Ill., and granting the consent of Congress to the removal of an existing dam and to its replacement with a new structure;

S. 1374. An act to authorize the Norfolk & Western Railway Co. to construct a bridge across the Tug Fork of the Big Sandy River at or near a point about 1½ miles west of Williamson, Mingo County, W. Va., and near the mouth of Turkey Creek, Pike County, Ky.;

S. 1368. An act granting the consent of Congress to the State of South Dakota for the construction of a bridge across the Missouri River between Walworth County and Corson County, S. Dak.;

S. 801. An act granting the consent of Congress to the construction, maintenance, and operation by the Valley Transfer Railway Co., its successors and assigns, of a railroad bridge across the Mississippi River between Hennepin and Ramsey Counties, Minn.;

S. 1367. An act granting the consent of Congress to the State of South Dakota for the construction of a bridge across the Missouri River between Brule County and Lyman County, S. Dak.;

S. 1170. An act to authorize the highway commission of the State of Montana to construct and maintain a highway bridge across the Yellowstone River at or near the city of Glendive, Mont.;

S. 604. An act to authorize the construction, maintenance, and operation of a bridge across the St. Francis River, near St. Francis, Ark.;

S. 603. An act to extend the time for constructing a bridge across the White River at or near the town of Des Arc, Ark.; and

S. 1540. An act granting the consent of Congress to the city of Aurora, Kane County, Ill., a municipal corporation, to construct, maintain, and operate certain bridges across Fox River.

## SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 603. An act to extend the time for constructing a bridge across the White River at or near the town of Des Arc, Ark.; to the Committee on Interstate and Foreign Commerce.

S. 604. An act to authorize the construction, maintenance, and operation of a bridge across the St. Francis River near St. Francis, Ark.; to the Committee on Interstate and Foreign Commerce.

S. 801. An act granting the consent of Congress to the construction, maintenance, and operation by the Valley Transfer Railway Co., its successors and assigns, of a bridge across the Mississippi River between Hennepin and Ramsey Counties, Minn.; to the Committee on Interstate and Foreign Commerce.

S. 1170. An act to authorize the highway commission of the State of Montana to construct and maintain a bridge across the Yellowstone River at or near the city of Glendive, Mont.; to the Committee on Interstate and Foreign Commerce.

S. 1367. An act granting the consent of Congress to the State of South Dakota for the construction of a bridge across the Missouri River between Brule County and Lyman County, S. Dak.; to the Committee on Interstate and Foreign Commerce.

S. 1368. An act granting the consent of Congress to the State of South Dakota for the construction of a bridge across the Missouri River between Walworth County and Corson County, S. Dak.; to the Committee on Interstate and Foreign Commerce.

S. 1374. An act to authorize the Norfolk & Western Railway Co. to construct a bridge across the Tug Fork of the Big Sandy River at or near a point about 1½ miles west of Williamson, Mingo County, W. Va., and near the mouth of Turkey Creek, Pike County, Ky.; to the Committee on Interstate and Foreign Commerce.

S. 1539. An act extending the time for the construction of a bridge across Fox River by the city of Aurora, Ill., and granting

the consent of Congress to the removal of an existing dam and to its replacement with a new structure; to the Committee on Interstate and Foreign Commerce.

S. 1540. An act granting the consent of Congress to the city of Aurora, Kane County, Ill., a municipal corporation, to construct, maintain, and operate certain bridges across Fox River; to the Committee on Interstate and Foreign Commerce.

#### INDIAN AFFAIRS.

Mr. SNYDER. Mr. Speaker, I ask unanimous consent to have printed in the form of a public document a report upon Indian matters that pertains to a conference which was held in the month of December last, attended by 100 citizens who were called together by the Secretary of the Interior for the purpose of discussing Indian matters pertaining to all of the Indians in the United States.

The SPEAKER. The gentleman from New York asks unanimous consent to print in the form of a public document the proceedings of a certain conference referred to. Is there objection?

Mr. SNELL. Mr. Speaker, reserving the right to object, I think the gentleman ought to make a fuller explanation of just exactly what he intends and in what way it pertains to the House.

Mr. SNYDER. Mr. Speaker, I think this is very important, and I ask attention for just a moment or two. Those who are familiar with Indian affairs know that we had very intensive Indian problems before the Committee on Indian Affairs all during the last session of Congress. There is still a great deal of interest upon the part of many people throughout the United States in the matter of the way the affairs of the Indians are being handled, to such an extent that last summer the Secretary of the Interior decided to select 100 representatives throughout the United States, including scholars, scientists, Indian uplifters, and heads of the various Indian societies, and those men and women came together here and held a conference. Among those attending that conference was so prominent a citizen as William Jennings Bryan. A conference was held, and a report has been made, and accompanying that report are addenda containing full information of much interest to the Members of this House, as well as to the public generally, and if we can get this printed in the shape of a pamphlet which can be distributed among the people and among the Members of the House, I think much benefit will result.

Mr. GARRETT of Tennessee. Mr. Speaker, will the gentleman yield?

Mr. SNYDER. Yes.

Mr. GARRETT of Tennessee. Has there been an estimate of the cost made of this?

Mr. SNYDER. In my judgment the pamphlet will be about 50 pages. I think it is very important. I can get an estimate upon the cost of it if the gentleman thinks it is necessary. We are going to have very intensive Indian investigations this winter, and this would give information to those who are little informed with respect to these problems.

Mr. KING. Is there anything in this report in the nature of propaganda for the furtherance of any policy?

Mr. SNYDER. Nothing except this: Of course there is a movement upon the part of some people to do away with the Bureau of Indian Affairs. This report will show that such a policy would be absolutely absurd, and that the Bureau of Indian Affairs has been and is doing a wonderful work for the Indians throughout the United States.

The SPEAKER. Is there objection?

Mr. HOWARD of Nebraska. Mr. Speaker, as a member of the Committee on Indian Affairs—or at least my name has been so reported, although I have not had any recognition as such by my chairman—is the gentleman willing to say to me that this document contains no bureaucratic propaganda?

Mr. SNYDER. I have read the document in full, and while it does not criticize adversely the Bureau of Indian Affairs, it does not give that bureau a boost.

Mr. HOWARD of Nebraska. I am not objecting so much to adverse criticism as I am to favorable comment.

Mr. SNYDER. And for the benefit of the gentleman who is a member of the Committee on Indian Affairs—

Mr. HOWARD of Nebraska. So reported.

Mr. SNYDER. There will be a meeting of the committee soon.

Mr. HOWARD of Nebraska. How soon?

Mr. SNYDER. So that the gentleman can then get proper recognition from the chairman, and I hope he will have a pleasant time while serving as a member of that committee.

Mr. HOWARD of Nebraska. I would be glad to meet with the gentleman most any time.

The SPEAKER. Is there objection?

There was no objection.

#### EXTENSION OF REMARKS.

Mr. GARNER of Texas. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD, and may I say in connection with that request that I have been allowed 30 minutes to-day in which to address the House, but my physical condition on account of having been ill for the last two days will probably not enable me to do so. I therefore ask to extend my remarks in the RECORD, so that what I would have had to say will appear to-morrow morning.

Mr. SNELL. Are these the remarks the gentleman expected to deliver to-day?

Mr. GARNER of Texas. I would say to the gentleman that they will consist of the statement which the Democrats of the Committee on Ways and Means gave to the press to-day, amplified by some figures taken from the Treasurer's report, and from the report of the Secretary of the Interior, as well as some expression of the Secretary of the Interior.

The SPEAKER. Is there objection?

There was no objection.

Mr. BLANTON. Mr. Speaker, in that connection, I think the gentleman's remarks should go in the RECORD in regular type. If they are put in 6-point type, nobody will be able to read them.

Mr. GARNER of Texas. Mr. Speaker, I ask unanimous consent that my remarks may be printed in the RECORD in 8-point type.

The SPEAKER. Is there objection?

There was no objection.

#### SUSPENSION OF RULES.

Mr. LITTLE. Mr. Speaker, by direction of the Committee on Revision of the Laws I move to suspend the rules and read the title only and pass the bill (H. R. 12) entitled, "A bill to consolidate, codify, revise, and reenact the general and permanent laws of the United States in force December 2, 1923," in 10,747 sections, and the supplement as finally approved by the committee and printed under its direction pursuant to law, a copy of which is in the possession of the Clerk.

The SPEAKER. The gentleman will send up his motion, which the Clerk will report.

The Clerk read as follows:

Mr. LITTLE moves to suspend the rules and read the title only and pass the bill (H. R. 12) entitled, "A bill to consolidate, codify, revise and reenact the general and permanent laws of the United States in force December 2, 1923," in 10,747 sections, and the supplement as finally approved by the committee and printed under its direction pursuant to law, a copy of which is in the possession of the Clerk.

The SPEAKER. Is a second demanded?

Mr. BULWINKLE. Mr. Speaker, I demand a second.

Mr. LITTLE. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The gentleman from Kansas is entitled to 20 minutes, and the gentleman from North Carolina is entitled to 20 minutes.

Mr. LITTLE. Mr. Speaker, there is no man anywhere in the United States who has in his possession any book in which he can find the general and permanent laws of the United States as they existed when this Congress assembled unless he has a copy of this bill to establish a code. There are two sets of Federal laws published by private publishers and three sets of annotated Federal statutes so published. I think that 75 per cent of those publications are the law, and the rest of it has been or it still is, but not general or permanent. There are some omissions from them which will be found in this proposed code. When you produce those books in court you do not know whether they are the law or not. They merely enable you to locate in the Federal books the law of the land. Every citizen is supposed to know the law and be subject to it, and it is the duty of a great Government like this to place its official statement of the law at his command. The annotated statutes, in my judgment, are very valuable to the legal profession. Two of the great firms which print the annotated statutes have arranged parallel tables of the proposed code sections and their own equivalent sections, by which you can immediately utilize all the annotations they have placed before the bench and the bar whenever you have this proposed legislation. If Congress should authorize the publication of such tables with the index

to the Code of the Laws of the United States, if it is enacted, it will add immensely to its value. When the Revised Statutes were adopted and you had them in your hand, you knew that it was the law. If the proposed code of the laws is so adopted, you will know that you have the law before you as made by Congress, which, of course, can never be the situation when you read from any statute privately published.

Mr. BEGG. Mr. Speaker, will the gentleman permit a question?

Mr. LITTLE. Yes.

Mr. BEGG. Are we to understand that in this proposition that is being submitted it is verbatim as the law is; there is no attempt to change any law?

Mr. LITTLE. That is exactly what the committee is endeavoring to lay before you. In 1896 a commission was appointed to prepare the Revised Statutes. They received \$105,000 for giving seven years to the work and reported to the Committee on Revision of Laws in the House, of which Benjamin F. Butler was then chairman. The committee found that they had greatly revised, amended, and, as they thought, improved the law with so many changes that it would be quite impossible to pass the bill. The committee then employed a lawyer named Thomas F. Durant, who gave about a year to cutting out all amendments and restoring the bill to the original law, when it passed. In 1897 another such commission was appointed, who drew \$150,000 for working at a new bill for 10 years. When reported to the House Revision of the Laws Committee, the committee declined to make a favorable report on it at all. When the gentleman from Kansas became chairman of this committee he learned these facts and decided to attempt just what they accomplished in 1874—that is, to present the law, good and bad, just as Congress made it—and so we present this Code of the Laws of the United States, which is simply an orderly arrangement of all existing general and permanent law. Much of the criticism is by those who insist on having the law rewritten to suit themselves, which the committee has wholly declined to do.

There is now in this country a profession of legal hack writers, who never practiced law but constantly seek employment to write legislation for legislators in a hurry. Such men provided the revision of 1873 and the revision of 1897, which were cast aside without any serious consideration at all, because impossible, and cost enormous sums. Those men persistently seek to induce legislators to throw aside this proposed bill and permit them to write at their own sweet will a new set of laws, which might include a few jokers which might prove very valuable to those who would profit by them. Those men are behind much of this criticism of which I shall tell you herein. Those men could not possibly assemble the laws of this land and codify them any more than they could write a brief for the Supreme Court, with all its necessary study. But anybody with a typewriter who is allowed to run his fancy can rewrite any law and really dream that he is improving it. To present to you the law as you made it and assemble it each in its proper place, is a work that requires legal training, intense application, painstaking industry, and experienced scholarship. These men merely want a job for which they are wholly unequipped.

Mr. WINGO. Will the gentleman yield for a question.

Mr. LITTLE. Yes.

Mr. WINGO. As I understand, this is the identical bill passed at the last session of Congress, with the exception that you bring up the existing law to December 1 last?

Mr. LITTLE. Except we have made a few corrections in the old bill.

Mr. WINGO. In other words, where you find there were errors in your former bill you corrected them, if you had overlooked any, and you bring it down to date?

Mr. LITTLE. We did not overlook any, but we find occasionally printers' mistakes, and we brought it down from March 4, 1919, to December 2, 1923.

Mr. WINGO. In other words, it is work to which a great deal of attention has been given by the gentleman's committee for the last four years, and it is as near a perfect codification as it is possible for the human mind to assemble?

Mr. LITTLE. I think I can safely say to the gentleman that this big book, if it goes into the Federal statutes, will have a smaller percentage of errors in it than any such book ever printed. [Applause.]

In order to actually reach all Federal general and permanent legislation, a man must read 39 different books issued by the Congress of the United States as Statutes at Large, being volumes 18 to 42, inclusive, and beginning with the Revised Statutes. In this book we have simply brought together in an orderly arrangement the exact provisions of existing law. The

material in this book is the law now, but scattered through many books.

When this bill becomes a law, approved by the President, any man with about \$5 will be able to have in his office all the laws of the United States, general and permanent, in force when this session of Congress met. At the present time 90 per cent of the people of the United States practically have no actual access to its laws or any reasonable opportunity to reach them, and no lawyer in the United States can have an assembly of these laws unless he has 39 different books or a copy of this bill, in which the laws are arranged so as to be readily found. When this bill is passed any lawyer can turn in a few moments to each and every provision of the law.

So far as I know, there is no claim by anybody that any part of the law is omitted from this book. There are a few suggestions that certain sections should be omitted. Every such claim has had the careful examination of several able and scholarly lawyers, and everything has been omitted from the book that ought to be omitted and everything in it is there because it is the law and should be there. There is no suggestion by any lawyer that ever tried a lawsuit, so far as I can learn, that anything should be omitted that has been placed in the book.

The claim is made that the critics have discovered mistakes in 214 sections of this book out of 10,747. Every criticism has been carefully examined by the best talent, and not one of the charges against the 214 sections is correct. There were 253 errors in the Revised Statutes which were corrected by law. This book is four times as extensive as the Revised Statutes, and if we made as many mistakes in proportion as they did we would have over a thousand errors in the book. There has never been any pretense by all combined of any such an array. If every claim as now advanced were correct, we could make the changes and have the book ready in 10 days' time. When we produce such a book as that, every friend of his country will avail himself of the opportunity to help lay its laws before his fellow citizens.

Mr. KINCHELOE. Will the gentleman yield?

Mr. LITTLE. I will.

Mr. KINCHELOE. I agree with the gentleman that it is one of the most important bills this Congress ought to pass. What I wanted to ask the gentleman is, Is this bill practically the same as the bill that passed the last House?

Mr. LITTLE. Yes; except that we have added four years' work to it—four years of law made since March 4, 1919.

Mr. KINCHELOE. The gentleman remembers that the Senator from Kentucky, who was chairman of the Committee on Revision of the Laws in the Senate [Senator ERNST], placed a speech in the RECORD the last time, in which he accuses—well, I will not say that, but in which he says that there are many hundreds of mistakes in the gentleman's bill, and I was wondering whether the gentleman and the Senator from Kentucky have come any nearer to an agreement since then?

Mr. LITTLE. I have not discussed it with him, but I have discussed it on the floor here quite frequently, and the gentleman will find my remarks following his, the next day.

Mr. KINCHELOE. I read both, but I was wondering whether you were any nearer to an agreement as to the correctness of the bill?

Mr. LITTLE. The bill is just as right now as it was then, and it was right then. [Applause.]

Mr. KINCHELOE. The reason I asked the gentleman—I am frank to say I, of course, do not know which of the two knows the most about it—but I was simply calling attention of the gentleman to the disagreement between him and the distinguished Senator from Kentucky.

Mr. LITTLE. The committee has carefully prepared a complete report covering each of these details, and I suggest the gentleman get a copy and read it. The gentleman employed at the other end of the Capitol to write the criticisms on this bill was employed by our committee in preparing it and discharged necessarily. He found no mistakes in it, as you will see by an examination of our report. He has presented his own errors of judgment only. He has not named one section that should now be omitted. He has not suggested one that was not in the bill when he criticized it. Fortunately for the bill the able and careful men who assisted in the preparation of this bill did not agree with his views of what he wanted the law to be and for that reason it is now correct.

Mr. MILLER of Washington. Will the gentleman yield for a question?

Mr. LITTLE. I will.

Mr. MILLER of Washington. What is the understanding of the gentleman by which this law can be distributed among the people and read among the people?

Mr. LITTLE. It will be sold for about \$5. If this code should never pass the Senate, it will well be worth \$50 to any lawyer who has any business in the Federal courts. There is no private statute that compares with it in accuracy and completeness, and just as it stands, with the indorsement of the House, it is better entitled to the consideration of the courts than any other book in existence which purports to give the Federal laws. John H. Wigmore, author of *Wigmore on Evidence*, has as high a reputation for legal scholarship and accuracy as any man who writes the English tongue. January 15, 1923, he wrote the Senate committee concerning this bill to make a code:

During the past year I have used the copy of it in preparing a new edition of my *Treatise on Evidence*, and have been through every page of the work and find it entirely satisfactory.

On January 21, 1921, a very able and scholarly lawyer, former Secretary of War Newton Baker, wrote the chairman concerning the code bill and said:

Senator Matt Carpenter's speech, to which you direct my attention, of course correctly states the answer to the difficulty always raised in the enactment of a great piece of codifying legislation. If we wait until perfection is achieved and the possibility of error removed, we never get the code. In the meantime practicing lawyers, judges, and district attorneys all over the United States are making vastly many more errors by reason of the fact that they have to rely upon an uncoded mass of legislative enactment, through which it is impossible even with the greatest industry to trace out the existing state of law.

On March 24, 1921, Judge Jacob Trieber, of the Arkansas district of the Federal court, wrote the chairman of the committee:

I can not express my admiration for this work. People, especially the bench and bar, owe you a debt of gratitude which can never be repaid. How you found time with your other congressional duties to do this work I am unable to understand. I have read in the *CONGRESSIONAL RECORD* your remarks when you presented your report on the act and also the remarks made by other Members of the House, which show that your work is being appreciated by the Members who have examined it.

JACOB TRIEBER,  
United States District Judge.

Mr. GRAHAM of Illinois. Will the gentleman permit me to ask a question?

Mr. LITTLE. Yes.

Mr. GRAHAM of Illinois. What is the idea; will the Government itself print and authorize the edition and put it on sale or will it be done through one of these law firms?

Mr. LITTLE. Yes; it will be done as with the Revised Statutes.

Mr. GRAHAM of Illinois. How was that?

Mr. LITTLE. The Government sells all the Statutes at Large. This book will be simply one of the Statutes at Large. The book will sell for about \$5, and may be bought from the Government, as every other Statute at Large. This code will be a very well arranged volume and very convenient to use. If you turn to the *CONGRESSIONAL RECORD* of April 10, 1920, page 5005, I think you will find that the chairman of the Subcommittee on Appropriations, Hon. Bascom Slemp, then stated that the gentleman from Kansas, chairman of the revision committee, by discovering one blunder in making unauthorized appropriations had saved the taxpayers \$288,500. The chairman has thus saved in the course of making this bill \$572,500, which will pay every expense made so far or that will accrue when this bill is completed and published and will make for the Government a clean profit of over \$500,000, a record unchallenged in the annals of parliamentary procedure.

Mr. MOORE of Virginia. Mr. Speaker, may I ask the gentleman that he tell the House that he proposes to bring in a supplemental bill that will cover the point suggested by my friend from Illinois, and a great many other features, in respect to the indexing, in respect to the publication, so far as the report will be freely distributed, and in respect to the price at which it will be sold to the general public, and so forth?

Mr. LITTLE. The gentleman is correct. That bill is already in process of preparation, and that will be done, just as was done in 1874. When this bill is passed any lawyer can in a few moments turn to each and every provision of the law. So far as I know, I will say to the gentleman, there is no claim by anybody that any part of the law is omitted from this bill. If there is such a claim, I have not seen it. There are a few suggestions that certain sections should be omitted. Every such claim has had careful examination of several able and scholarly lawyers, and everything has been omitted from this

bill that ought to be omitted, and everything that is in it is there because it is the law and should be there. There is no suggestion by any lawyer that ever tried a lawsuit, so far as I know, that anything should be omitted that is placed in the book.

Mr. KINCHELOE. The gentleman understands that I am not standing as sponsor for the Senator from Kentucky.

Mr. LITTLE. I was not referring to that. We are not permitted under the rules to refer to Senators here except when we speak in complimentary terms, which I can not conscientiously do in this particular instance.

Mr. KINCHELOE. I was just referring to what a dilemma we should be in when there was a difference between such distinguished gentlemen.

Mr. LITTLE. There is no important difference of opinion. They take exception to only 214 sections out of 10,000 sections. There were 253 mistakes in the revision of the statutes in 1874, which were corrected by law. This book is four times as big as that was. If we had a thousand errors in this bill there would not be as big a percentage of errors in it as there was in that. The critics say now they have discovered errors in 214 sections. Every section has been examined by capable lawyers, and not one of the criticisms as to the 214 is correct. The gentleman has anticipated me. The book is four times as extensive as the Revised Statutes. There has never been any pretense by anybody that there are as many mistakes in this book as there would be if it had the same percentage of mistakes as the codification of 1874.

There are 56 books of the Statutes at Large on your shelves. On behalf of the revisers and the committee who have labored intensively on this work for nearly five years, I assert that this book has a smaller percentage of errors in its pages than any of its 56 predecessors issued by the Congress of the United States in 134 years, and I appeal to the American people for a fair hearing and a square deal for this great code of all their laws, which I now lay before them for the third time with the unanimous approval of the representatives of 110,000,000 Americans who have dire need of this legislation and have waited for it for 50 years.

In the days of ancient Babylon the rulers published on columns of stone the laws of the land and erected the columns in each city, and as the Good Book tells us, the wayfaring man, though a fool, might read as he runs down the public roads. The people of Babylon had at their everyday and immediate command all the laws of their country and could always know what they were. That ancient State was far in advance of the United States of America in making its laws known to its citizenship. If this bill goes to our people, it will be found in every city, in every town, in every village where there is an attorney at law, and while even then our people can not be as readily informed of the law as were the citizens of Babylon, they will be better informed than they ever were before. We have 110,000,000 of people and not one of them, unless he has a copy of this bill, can turn to the law in any 24 hours and learn what it is.

A tyrant in an ancient city wrote a handsome code of its laws on columns of stone and placed them far above and out of the reach of his subjects who were still amenable to its penalties and still guided by its promulgations. That man's offense was mere petty larceny compared with the crime of him who shall prevent the establishment of this great code for 110,000,000 of people.

This bill first passed this House December 20, 1920, more than three years ago. If it had become a law at that time, it would have profited the bench and the bar and the litigants and the people generally of this country almost beyond imagination. To say that it would be worth a million dollars a year to these people is to state the case very mildly. In mere amount of time to be saved by the bench, the bar, and the clients, it is difficult to estimate high enough its value for the last three years if it had been in existence. When we add to that the good it would do by disseminating among the people a real knowledge of the legislation bearing on their conduct and on their business, it is difficult to conceive that any man would even pause a moment to challenge this great bill, even if there were hundreds of errors in it.

Let us suppose that when Hammourabi, 4,000 years ago, sent to one of his cities the column of his code, which now rests in Paris in the Louvre, he had entrusted it to an official who reached the conclusion that he had discovered a mistake in it and decided to cast it aside and leave the people with no code of his laws. They would have tied a millstone about his neck and cast him into the sea. How trifling would the wrongs he inflicted be as compared with the sins of a man who would deprive the American Republic for three years of the laws we

have been making for 134 years on the claim that there were in a bill of 2,500,000 words 214 or even 1,000 mistakes.

Every year the laws of the United States more and more become aggressively and individually important to all the business methods and living methods of 110,000,000 people. The time is now here when the conduct of our people and the business of the people is continuously searched and determined by Federal legislation. One can hardly imagine any sufficient number of petty errors that would justify a refusal to present these laws where the people, the bench, the bar, and the business of the country can find them.

During the Forty-first Congress when the bill was under way in the House, Roscoe Conkling, Charles Sumner, Thomas F. Bayard, and Matt Carpenter were members of the Senate Committee on Revision of the Laws. When the Revised Statutes reached the Senate of the United States in 1874, Conkling, Carpenter, Stewart of Nevada, Alcorn of Mississippi, and Matt Ransom, of North Carolina, were on the Senate committee to which the Revised Statutes bill was sent. If those gentlemen had held that bill for 20 months without any investigation, and one day before the adjournment of that Congress had cast into the discard a bill which had received the unanimous indorsement of the American House of Representatives under the pretext of 253 mistakes, which it really contained, the American people would not have enjoyed for the last 49 years the advantages that sprang from that greatest code the world ever saw and the making of this bill would have been almost impossible.

In the time of Queen Elizabeth, Bacon undertook to present England with a code of its laws, and lesser men stood in his way with petty criticisms and England has never had such a code of its laws, which now, after centuries, still continue to be published in the Statutes of the Realm, very much like our Statutes at Large.

But for the industry and scholarship of the Members of this House who prepared and put through the Revised Statutes, this country would still be dependent after 134 years upon the Statutes at Large. During the first 84 years of this Republic the laws made by Congress, by authority of Congress, were published by Little & Brown, publishers and booksellers, of Boston. James Brown ran their bookstore and the publishing was done under the direction of Charles C. Little. The only authority we now have for those original laws is the first 17 volumes of the Statutes at Large, for which you are indebted to Charles C. Little. In 1874 this Congress determined to print its own laws, and began by assembling in the Revised Statutes and publishing in 1875 all the general and permanent laws still in existence then that had been made since the beginning of Congress. It was then fondly anticipated by the great men who put those Revised Statutes through—Conkling, Sumner, Carpenter, Stewart, Ransom, Butler, Poland, Lawrence, Saylor, Rockwood Hoar, and George F. Hoar and the rest—that the Government should always, so far as was within the bounds of possibility, maintain our laws at the high state they reached June 22, 1874, but nearly half a century went by before the possibility of that was again immediately within reach.

Eighteen months were first devoted to the preparation and presentation in the Sixth-sixth Congress of this legislation, and the entire task was covered in those 18 months down to the 4th of March, 1919. Any faithful and competent group of men can make a searching and determinative analysis of this work in 90 days if they give to it half the industry and diligence that it received during those first 18 months. [Applause.]

#### MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message in writing from the President of the United States was communicated to the House of Representatives by Mr. Latta, one of his secretaries.

#### SUSPENSION OF RULES.

Mr. BULWINKLE. Mr. Speaker, I yield 10 minutes to the gentleman from Virginia [Mr. Moore].

The SPEAKER. The gentleman from Virginia is recognized for 10 minutes.

Mr. MOORE of Virginia. Mr. Speaker, I will not detain the House 10 minutes. The only reason, I suppose, why I am requested to say anything on this bill is that when I first came here in 1919 I was appointed on the committee of which the gentleman from Kansas [Mr. Little] is chairman, and worked with him in the effort to codify the public laws of the United States as in effect on the 4th of March, 1919.

The necessity of that work was recognized by everybody. At that time, and at this time, all of the statutes are in such

form that they are in great measure inaccessible or difficult of access. They are contained in the old Revised Statutes of 1878, and in the something like 25 volumes of the Statutes at Large, printed since that revision; and in order to know what the law is, unless some unofficial publication is consulted, it is necessary for one to range over that entire field. This disadvantage is at once apparent. There is now no single volume which can be offered in evidence, and the cost of buying an unofficial compilation runs from \$12 or \$15 to over \$100.

What the committee undertook to do was not to amend the statutes to any extent whatever but to gather all of them in a single volume—all of the statutes in effect on the 4th of March, 1919. That was done most laboriously and with all the care that could be exercised, and there is every reason to believe that the result is as accurate as any similar work that has at any time been done.

Mr. HUDSPETH. Mr. Speaker, will the gentleman yield right there?

Mr. MOORE of Virginia. Yes.

Mr. HUDSPETH. I am very much interested in the gentleman's statement. At what time did you begin this work and what period of time does it cover?

Mr. MOORE of Virginia. We were on it for more than a year. We had the assistance of experts who, by the way, were most moderately compensated. Another thing was this: Our codification was checked against the codification made by the West Publishing Co. and against that made by the Thompson Publishing Co. and against that of Mr. Barnes. No expedient designed to secure accuracy was omitted, and we have confidence and faith in the result.

Gentlemen may ask this question: If the codification of the laws as they were on March 4, 1919, is all that we claim for it, why is it that having passed the House on December 20, 1920, in the Sixty-sixth Congress, it did not receive consideration at the other end of the Capitol? And why is it that again having passed the House in the next Congress, the Sixty-seventh Congress, on May 16, 1921, it still failed to receive consideration at the other end of the Capitol? To answer that question might bring a discussion that would carry us outside of the rules. There are a good many rules of the House of which I disapprove, but one of the rules not in that category prevents a good deal that might be said in one House about what happens, or does not happen, in the other House. But if anyone wishes to know the answer I refer him to the distinguished chairman of the committee, who may not be able to explain publicly, but will in private, at least, certainly make a statement couched in the most elemental, vigorous, and emphatic language which it is possible to use. [Laughter and applause.]

Mr. DOWELL. Will the gentleman yield?

Mr. MOORE of Virginia. Certainly.

Mr. DOWELL. Has the gentleman any information about the fate of this bill in another body at this session of Congress?

Mr. MOORE of Virginia. No. We are simply now casting our bread upon the waters without any assurance that it will be returned to us after many days, or returned at all. But I can say that throughout the country by the lawyers there is a great demand for a volume of the character that is contemplated. It will embrace not only the laws in effect the 4th of March, 1919, which was the original bill, but supplementary thereto the subsequently enacted laws which were in effect on December 2, 1923.

Although not now a member of the committee, I may say that I have had something to do with the supplementary work. I was here during the summer; I happened to be, to some extent, in touch with the experts who were then working, and in that connection I examined a good many of the criticisms that have been offered of the prior compilation, and I feel quite sure that when you gentlemen, without any detailed examination, approve this bill, as I hope you will, you may have no fear that you have done anything that puts in peril to any extent whatever the interests of the country which are involved in a proper codification of the Federal laws.

I do not think it is necessary to go further, and I shall only detain the House for a moment to say this: That while the Committee on Revision does not perhaps stand out as one of the great committees of the House, yet very few committees and very few committee chairmen have to their credit a more valuable and monumental work than has emanated from the committee over which the gentleman from Kansas [Mr. Little] presides. [Applause.]

Mr. LITTLE. Mr. Speaker, I ask that those of us who speak on this legislation be allowed to revise and extend our remarks in the RECORD.

The SPEAKER. The gentleman from Kansas [Mr. LITTLE] asks that those who speak on this legislation be allowed to revise and extend their remarks in the RECORD.

There was no objection.

Mr. BULWINKLE. Mr. Speaker, I yield one minute to the gentleman from Virginia [Mr. PEERY].

Mr. PEERY. Mr. Speaker, I ask unanimous consent to extend my remarks on this bill in the RECORD.

The SPEAKER. That right has already been given.

The extension of remarks referred to is here printed in full, as follows:

Mr. PEERY. Mr. Speaker, a mere statement of fact, giving the history of this bill, should bring somewhat of assurance to this House and seems to render extended discussion unnecessary.

A bill codifying the general and permanent laws of the United States in force March 4, 1919, has heretofore been twice reported to the House, and twice passed by the House by unanimous vote. The bill now under consideration is the same bill, improved in some respects, and with additions, bringing the law down to December 2, 1923.

The need for such a codification of the laws has been recognized from time to time, and from time to time has been met. It is, however, somewhat surprising that no official codification of this character has been published by Congress since the second edition of the Revised Statutes in 1878. Since that date Congress has annually enacted a large number of new laws. They are contained in the official publications known as the Statutes at Large. A comparison of the number of laws heretofore and recently enacted is interesting. We are told that our First Congress enacted only 94 statutes, but in the Sixty-sixth Congress there were introduced in the Senate and House a total of 21,967 bills and joint resolutions, and 594 statutes were enacted. Volume after volume has thus been added from year to year until these statutes of themselves make up a small-sized library. And in order to determine from official sources what the Federal law is to-day, it is necessary to follow it through all these numerous volumes.

Under the law, all men are presumed to know the law—and yet we of the legal fraternity are too often forced to admit that it is a violent presumption even as to the lawyers themselves, and it is sometimes true that a man is punished for the violation of a law of which he did not actually know and which the judge and lawyer have great difficulty in finding—it is difficult to ascertain just what the law is, and the process is often long and laborious. Ready access to the law in convenient form helps to cultivate obedience to the law and contributes to the prompt enforcement thereof. The criticism of the "laws delays" which the profession recognizes is not unmerited, and which it has set about to meet and correct, is in some measure due to the practical difficulty of ascertaining just what the law is. The need of having a codification of the general and permanent laws now in force in convenient and accessible form, is imperative. It is, of course, true that certain private concerns have helped to meet this need with their publications, which are quite meritorious, but even with these there remains the need for a codification, which bears an official stamp and which may be admitted in evidence in the courts of the land. This need has been voiced by Government officials, judges, lawyers, and laymen throughout the country.

The bill under consideration is intended to meet this need.

In this work, the objective has been not to amend or change the law, but to gather together under appropriate headings and title, the law as enacted from time to time by the Congress.

Another question that naturally arises is as to the fidelity, care, and accuracy with which the work has been done. The committee employed able experts in codification, men of high legal attainments, who were not only competent to do the work, but who took pleasure in the work itself. These experts worked under the supervision of and in collaboration with the able and efficient chairman of the committee—who is a distinguished lawyer of fine attainments, and who gave himself ungrudgingly to this arduous work. Other members of the committee contributed to the work and the whole was done under the committee's supervision. Great care was exercised to avoid error, and the work was carefully checked.

The work was submitted to various eminent men, portions of it to the governmental departments interested therein. Criticism was invited. Some was received. When well taken it was acted upon and improvements were made. The work consumed 18 months before the first bill was reported. Since its first passage by the House more than two years have elapsed during which time the bill has been open to examination and criticism. Many letters of commendation have been received. Higher praise could hardly come to it from a more

eminent source than that which comes from Professor Wigmore, author of *Wigmore on Evidence*, who speaking of the bill before the last supplement brought it down from March 4, 1919, to December 2, 1923, said:

During the past year I have used the copy of it in preparing a new edition of my *Treatise on Evidence* and have been through every page of the work and find it entirely satisfactory.

It is confidently believed that the bill is the result of work well and faithfully done, and that great care has been exercised to reduce the matter of error to a minimum.

Mr. BULWINKLE. I yield four minutes to the gentleman from Iowa [Mr. EVANS].

Mr. EVANS of Iowa. Mr. Speaker, the importance of the passage of this bill, in my opinion, should appeal to every member of the bar in this House. We all know how difficult it is not only to discover but to interpret the laws of the United States Congress as they are now scattered through numerous volumes of our legislation.

This legislation represents a great amount of labor on the part of the chairman of this committee as well as on the part of the committees which have had to do with it in the past four or five years. This committee has done that thing which it is possible for men to do. What this committee has done may not be perfect, but that only means that the Members of this House and the members of this committee are not perfect; but it is certainly as nearly perfect as it could be made by a committee, and this bill, in the interest of the clarifying and putting together of the laws, certainly ought to be passed. This is not a revision of the laws; it is a compilation of the laws into a code. It is the putting together of the laws, in permanent form, which are now in force up to December 2, 1923, and this legislation, it seems to me, should have in this House, as it has had on two former occasions, the unanimous vote of the membership of the House. [Applause.]

Mr. BULWINKLE. Mr. Speaker, I yield four minutes to the gentleman from Ohio [Mr. FITZGERALD].

Mr. FITZGERALD. Mr. Speaker, I have not had a great share in the codification of these laws, and yet I have given earnest attention to the work for many hours with the chairman of the committee, and I know the careful analysis that more than 100 of the most difficult sections of this bill have received and the microscopic attention of those who have sought to discover flaws.

The great value of this work, not only to the Federal bench and to the bar but also to the people of the United States, is immeasurable. To consider that we must now search 56 large volumes, with inaccuracies in their indexes and filled with contradictions and differences, ambiguities and irregularities, in order to find out what the present law is, which this codification would officially determine, is to realize something of the great value of this work. Even though it should contain errors, which it seems impossible under the close scrutiny which has been given to it all the way through by the members of the committee and those in the other branch of Congress, who have been seeking to find reasons why it was not perfect, it would be a great catastrophe to have the passage of this bill again defeated by Congress; and because I realize the faithfulness and the great devotion of the chairman of this committee to this enormous and important task, it is a great pleasure to add my voice to his on this occasion of the consideration of the bill before the House. I know that criticisms have been directed to the code, but, on analysis, all those criticisms have been to inaccuracies and contradictions in the law, and the codification has followed faithfully the law as the Congress has enacted it. This work of codifying the laws has developed many mistakes which have been made by Congress. These mistakes are adhered to in this volume of the code. Imperfections existing in the laws, such as allusions to laws already repealed, and all the errors, contradictions, and ambiguities have been faithfully retained by the codifiers. No other course is open to one who undertakes to codify rather than to change the laws. The moment the codifier seeks to put his personal interpretation on the contradictions or the ambiguities then there is opened up a great field for discussion, and there would be such an interminable number of differences it would be impossible to enact such a bill into legislation. So, after all, these criticisms have only developed that the codification has been most faithfully done. [Applause.]

Mr. BULWINKLE. Mr. Speaker, how much time remaining have I?

The SPEAKER. Two minutes.

Mr. BULWINKLE. Then I yield two minutes time to the gentleman from Tennessee [Mr. SALMON].

Mr. SALMON. Mr. Speaker, I was assigned to this committee upon the organization of the present Congress and have devoted considerable time to an examination of the volume now before the House. During this short time I have recognized the splendid work that has been done by the committees who have labored upon this volume for the last four years. I think this bill should be passed unanimously for the reason that the ability of the best experts of the country, combined with the ability of the members of this committee, has been devoted to the compilation of this work.

I understand in some instances that after the conviction and incarceration of persons tried in the Federal courts it has been learned that the applicable law had not been discovered and that such persons had suffered conviction and penal servitude because of a lack of knowledge of the Federal statutes on account of the inability of the courts and attorneys to find the law.

This volume gives the law in convenient form and will be recognized as the official code of the Federal statutes. For these reasons, as a new member of this committee and a new Member of Congress I express the hope that this splendid work will receive the unanimous vote of this body. [Applause.]

The SPEAKER. The Clerk will read the title of the bill.

The Clerk read the title of the bill.

The SPEAKER. The question is on the motion of the gentleman from Kansas to suspend the rules and pass the bill.

The question was taken; and in the opinion of the Chair two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

The SPEAKER. Under an order heretofore entered by the House the gentleman from Texas [Mr. JONES] is recognized for 20 minutes.

#### PROPAGANDA.

Mr. JONES. Mr. Speaker and gentlemen of the House, we Americans are a peculiar people. As a Nation we have done wonderful things. The theories of yesterday, proved by practice to-day, give way to the improvements of to-morrow. We do everything in a hurry. We have the telegram instead of the slow letter. We have the automobile instead of the ox cart, and if this is not fast enough we may tread the clouds and annihilate space through the medium of the airplane. We have the radio by means of which we may gossip without leaning over the back-yard fence. We have a Saturday Evening Post that is distributed on Thursday, Sunday papers that are published four days ahead, and news that never happened. Styles change overnight. Women wear hats that are turned up in front and down behind, then down in front and up behind, then neither and then both. We drive 45 miles per hour going nowhere, just joy riding.

Some one asked Doctor Coué when he returned to France to give his impressions of America. He replied, "Oh, the Americans are a wonderful people. They are very fine. They are very hospitable and generous. They have lots of money, but the trouble is they are always in a hurry. They never have time to enjoy life. For instance, they don't have time to say 'Every day in every way I'm getting better and better'; they just say, 'Hell, I'm well.'"

We have General Dawes to do our "cussing," Ford to build our flivvers, the Progressives to do our talking, and the Rules Committee to run the House of Representatives. If that doesn't complete the ring, what does?

We are getting to be a Government by groups and the victims of propaganda. Some old boy, or some group will conceive an idea to save the country. He'll organize his little group and wire all over the United States saying, "Wire or write your Congressman to do thus." Some enterprising newspaper reporter, with a nose for news, smells a story and the machinery is started. They begin by taking a lick at Congress. That seems to be popular. Then they frequently operate by exaggerating or misstating the facts and beating the "tom tom," and then, if they have nothing better to do, finally wind up by "cussing" the Volstead Act.

The sad part about it is that by coloring or misstating the facts the public is sometimes misled. For instance, Brigadier General Dawes, whom we have recently sent out of the country, and are resting in the deadly stillness of his aftermath, was once chairman or head of the Bureau of the Budget. His language, at least, was picturesque. He made good newspaper copy. He was an artist at publicity. The newspaper men, encouraged by him, pictured him as "Jove-like," belching lightning and lambent flames, holding an extravagant and wasteful Congress in check and thus saving the taxpayers millions of dollars.

The cold facts are—and how many romantic stories are spoiled by the facts of history; as, for instance, the famous

Appomattox apple-tree story which gained wide currency, but which was dissipated by General Grant, who, in his memoirs, pronounced it pure fiction—the cold facts are that Congress, with a single exception, reduced all of General Dawes's estimates an average of more than 10 per cent, and thus the Congress actually saved the country millions of dollars by cutting the general's estimates; not as much as they should have cut them, for there is need for the most rigid economy—still, they cut them just the same. [Applause.] But the public did not know anything about that. It did not make good newspaper copy. Therefore the newspapers did not use it. They had pictured Dawes as a firebrand of economy, or rather as a rip-roaring, snorting fire engine, thundering pell-mell down Pennsylvania Avenue to put out of the fires of governmental extravagance and quench the flames of congressional waste. Then when the Congress went the general one better and quietly took all of the enthusiasm out of the matter by reducing the general's estimates, thus leaving the yell leader with no language but a yell, it simply was not news, that is all. Facts are dull, prosaic things.

Mr. STEVENSON. Mr. Speaker, will the gentleman yield?

Mr. JONES. Yes.

Mr. STEVENSON. The gentleman has noticed the propaganda about the so-called Mellon plan.

Mr. JONES. Yes; I was just about to come to that, and I thank the gentleman for his suggestion. Facts are prosaic things, and what are facts when the circus is on; when the confetti of foolishness is being thrown; when the moxey mead, the honey wine, the California fruit juice, and the pink lemonade are being sold; when the elephant is standing on his head; when the blood-sweating hippopotamus is on display, and when the steam piano is in full blast? Reason simply stacks arms and leaves the field under those circumstances.

I would not take from General Dawes one iota of credit for some valuable work he did, notwithstanding his aspersions on Congress. He, through the Budget law, which was passed by the Congress, assisted in eliminating some duplication and in reducing departmental estimates, which are always too high. But the trouble was he did not go far enough. The Congress almost invariably reduces the department estimates, and they reduced General Dawes's estimates very materially.

As my friend from South Carolina suggests, just now a great deal of propaganda is being used to further the Mellon plan, and a good many folks have been led to believe that it is the Mellon plan or nothing. As a matter of fact, the entire Congress, as well as the country, is in favor of tax reduction.

The whole fight will be, not whether we shall have tax reduction but whether the greater part of the load shall be taken off the rich or the men of average or small means. Everyone is in favor of tax reduction and there will be tax reduction. The question, as it will be tried out here, will simply be, How shall such reduction, as the facts will justify, be distributed? That will be the issue, but that does not stop the propagandist. Taking advantage of the universal desire for tax reduction, the sources of publicity, the organizations and the big interests and the New York bankers are trying to make Congress swallow the Mellon plan lock, stock, and barrel in spite of its inequities.

Mr. STEVENSON. Mr. Speaker, will the gentleman yield?

Mr. JONES. Yes.

Mr. STEVENSON. The general proposition that I get is that the Mellon plan is infallible.

Mr. JONES. Oh, yes; that is the purpose of the propaganda.

Mr. STEVENSON. The gentleman remembers that a few months ago, when we were about to pass the bonus bill, Mr. Mellon gave out a financial statement of the condition of the Government, in which he forecasted a deficit of \$650,000,000.

Mr. JONES. Yes.

Mr. STEVENSON. Then six months afterwards, when it was necessary to make a showing for the administration, he gave out another estimate of \$350,000,000 surplus.

Mr. JONES. Yes; he is a magician in figures as well as in finance. Not only are the facts as stated by the gentleman from South Carolina true, but the Mellon plan as conceived to-day is a good deal like the one he turned out two years ago. You will recall that two years ago he started a plan reducing the taxes only on people who had an income of \$66,000 or more per year, and leaving all men with smaller incomes with all of the burdens of the old tax law. A fight was started in the House of Representatives, and apparently that was the first time Mr. Mellon ever knew that there was anybody who drew less than \$66,000 a year; at least it was the first time he had paid the man of small means any attention.

Mr. SNYDER. Mr. Speaker, will the gentleman yield?

Mr. JONES. In just a moment. When he found that he could not put over that plan, he presents the same plan again

with just a little sop to the small man, and then says, "You will take this or nothing." It is the same old pill, with a very thin sugar coating over it. Now I yield to the gentleman from New York.

Mr. SNYDER. Well now, referring to the statement—

Mr. JONES. I have but a limited time, and I can yield only for a question.

Mr. SNYDER. If we concede that the Secretary of the Treasury made a misstatement, we will have to concede also that the statement was on the right side of the ledger.

Mr. JONES. However that may be, he had the facts before him all the time, he had the figures, and they were accurate, so why should he make a mistake just at the time when it was good politics for him to do so for his party? I do not understand it. [Applause.] But the propaganda was on. What difference does it make in the eyes of these propagandists that the Mellon plan will favor certain classes very greatly? What boots it that it will reduce the taxes of the man of small means much less than they should be reduced? What difference does it make that under the rates of the Fordney-McCumber tariff bill \$3,000,000,000 in indirect taxes will still be on the backs of the people, most of which goes not into the Treasury but into the pockets of a favored few? Andrew, the "melon" cutter, has evolved a scheme and the propaganda is on.

Mr. CONNERY. Will the gentleman yield?

Mr. JONES. I will.

Mr. CONNERY. Has the gentleman received any propaganda concerning the extreme effrontery of the service men who served on the battle fields in France in asking the Congress of the United States to pass the bill known as the adjusted compensation bill?

Mr. JONES. I do not care to go into that, but I will say this, that I would not refer to any man who bared his breast to the German bullets as having any effrontery in coming claim which he felt justified in making.

Mr. CONNERY. My comrade will understand that I did not say anything about the effrontery of service men; I said the propaganda regarding the effrontery.

Mr. JONES. I misunderstood the gentleman and I beg his pardon in my reply.

Mr. McSWAIN. If the gentleman will permit, in order that the country might be somewhat enlightened, is it not a fact that every adjusted compensation bill that has been considered by this House had an authorship on the Republican side?

Mr. JONES. Well, I am not familiar with those facts, and I will let the gentleman's statement stand for what it is worth. I have here form letters that are sent out. Members have been kind enough to hand them to me, and I have them from 15 or 20 different States, and they read practically alike. Here are form letters of various kinds printed and signed by different people. Here are petitions galore in printed form in reference to this matter. But here is one in which a corporation, the Titus Blotter Co., in a letter to my colleague, Mr. STENGLE, forgot to take the corporate seal off the paper that they used in sending out these petitions. There are numerous ones here coming from New York and a great many other parts of the country, all reading very much alike. It is passing strange that I happen to find in the New York Herald to-day, following an editorial in yesterday's paper on the Mellon plan, a great big flaming statement with a map of the district of ANNING S. PRALL, asking his constituents and others to write him in reference to this plan.

Everyone likes to hear from his constituents, their views and opinions. They are a valuable aid in any representative government. The Members not only welcome them. They are anxious to receive them. But the form letters and telegrams that are sent at the request of some group or vested interest are of little value to anyone. Sometimes stacks of them are received, all reading practically alike in form and in substance. It is not always confined to the citizens of this country. There is a great deal of foreign propaganda, some of it striking at the very foundations of this Government. The wealth of this country—and I am not a malefactor of great wealth—has adopted this scheme and this makes it very difficult to withstand the flood of their propaganda. And they do not always confine themselves to the facts. For instance, in their zeal to further the adoption of the amendment in reference to tax-free securities, even such great publications as the New York World and the New York Times have carried on their front pages statements to the effect that the adoption of that amendment would release the money now tied up in tax-exempt securities to productive enterprise. Of course a moment's analysis will convince anyone, regardless of his position on the amendment, that that can not be true. Regardless of any

amendment we may adopt these securities are forever tax free. Everybody knows that who studies the question a moment. If they are sold somebody must buy them. It would simply be a transfer of ownership and the same amount of money would still be tied up. True, such an amendment might affect future issues and prevent additional moneys being tied up, but any fair-minded man must admit it will not relieve the money now tied up in tax-exempt securities already issued, because they can not be reached by a tax amendment. They are forever prating about demagoguery. Why do not they confine themselves to the facts? People who live in glass houses should not take shower baths. [Laughter.]

This is a sample of the propaganda that is constantly flooding the country, beclouding issues, and making intelligent legislation much more difficult. This country is fast breaking up into groups. They are organized with headquarters in the Capital City. The United States Chamber of Commerce, and various other groups too numerous to mention, and even some of the women's organizations have their headquarters in Washington, and a great many of them have established their central point of operation here. Some of them are building immense structures in the very circle of the Nation's Capitol, from which vantage point they can flood the country, bring pressure to bear, and otherwise cloud the atmosphere, thus making it increasingly difficult to hear the voice of the man in the far-away sections who is attending to his own affairs, and whose honest heart and habits of industry are the mainstay of the Nation. The establishing of some makes other organizations come in sheer self-defense, thus ever going on in an endless vicious circle.

Mr. ALMON. Mr. Speaker, will the gentleman yield?

Mr. JONES. Yes.

Mr. ALMON. I am wondering if my friend has any suggestion that he can make that will prevent these practices that he is complaining about.

Mr. JONES. Oh, in a few years, after the people learn that these special interests do it, and how they do it, I think they will realize the absurdity of it and resent these form letters sent out by the self-constituted keepers of the king's conscience who claim to know more about everything than the people in the other parts of the country. I have an abiding faith in the folks. Every day the atmosphere of Washington is becoming less like and less indicative of the real thought of the country. When the common sense of most may be obtained with precision, it is a reasonably safe guide for governmental policies, but organized propaganda and crack-brained agitators are a menace to this Republic. And as between the two, the organized propagandist is the worse. The agitator and soap-box orator are in the open. Very few are convinced by them. But the propagandist sometimes operates through a mask of deception.

The editorial columns of newspapers were once much used in shaping public opinion. Now articles so marshaling the facts as to mislead or misstating them are placed in the news columns, and they are sometimes deadly in their effect, especially when taken at their face value. Newspaper reporters are not as much at fault as these organized groups that give them the wrong data and thus cause the wrong facts to be presented and consequently the wrong conclusions sometimes to be reached.

In all this there is a great effort to secure power in this land. Power is a stately word. It was of power that Milton wrote, Homer dreamed, and Virgil sang. When asked, "What is power?" Alexander said, "Force is power." Croesus said, "Money is power." "Power," said Webster, "knowledge is power."

The SPEAKER pro tempore (Mr. BEGG). The time of the gentleman from Texas has expired.

Mr. BLACK of Texas. Mr. Speaker, I ask unanimous consent that my colleague may proceed for five minutes more.

The SPEAKER pro tempore. The gentleman from Texas asks unanimous consent that his colleague may proceed for five minutes more. Is there objection?

Mr. CLARKE of New York. Reserving the right to object, Mr. Speaker, I would like to know where he is going.

Mr. BLACK of Texas. I think it is a very fine speech.

Mr. JONES. Oh, I had no hope of pleasing the gentleman from New York. Much of this propaganda comes from his State.

Mr. KING. Mr. Speaker, will the gentleman yield?

Mr. JONES. Yes.

The SPEAKER pro tempore. The gentleman from Texas asks unanimous consent that his colleague may have five minutes more. Is there objection?

There was no objection.

Mr. KING. I am in hearty sympathy with the remarks the gentleman is making, and I was wondering if he would include within his denunciation that new form of propaganda which Mr. Edward W. Bok has organized in regard to the situation in Europe?

Mr. JONES. Oh, I have not had time to read that plan, and I would not care to express an opinion on a matter that I had not carefully considered. The gentleman from Illinois later on will have an opportunity to express his opinion on that matter, if he cares to do it. I will say, however, that I am not going to denounce it as propaganda simply because some Members of another body have so designated it.

Force is sometimes power, wealth is usually power, and knowledge is always power. These fellows have the knowledge as to how to utilize their wealth. The trouble is they are putting their wealth and power into the wrong channels and are not using it for the best interest of the Nation.

Oh, I am not a pessimist. Despite the propaganda and despite the conditions as they exist, I agree with Uncle Joe Cannon, who, after 46 years of service in the House of Representatives, replied to some calamity howler, "Yes, in spite of that, however, this country is a hell of a success." [Applause.] We are passing through a season of propaganda. But there is no hour so dark as that which precedes the dawn. The Democrats will again come into power, and the light of a new day will shine. [Applause.] But whether the Democrats are in power or not, fine and capable as I think they are, or whether the Republicans are in power, bad as I think they are, this whole country is surpassingly great, and I would rather live in the United States, even under Republican misrule, than to live in any other country under the shining sun under the rule of any party whatever. [Applause.] And I want to say that I do not believe this Nation should permit people to stay in our country whose feet are on our shores and whose hearts are in some foreign land.

We have our troubles, but I believe in the United States Government, her traditions, her history, and her institutions. Knowing the character of our people, I have implicit faith in the to-morrow. Notwithstanding the false propaganda, the vested interests, and false lights along the shore, America is first in war, in peace, and in progress. I thank you, gentlemen. [Applause.]

The SPEAKER pro tempore. The gentleman from Wisconsin [Mr. FREAR] is recognized for 40 minutes.

#### TAXATION AND PROPAGANDA.

Mr. FREAR. Mr. Speaker, after traveling through at least ten or a dozen countries during the past summer and meeting officials who administer important affairs in those countries, I heartily agree with the remarks of the gentleman from Texas [Mr. JONES] who just preceded me when he says that no country in the world compares with ours. And the only way to prove this truth is to go abroad and see the others. [Applause.] Ours is the finest in the world, but we have the right, each in his own way, to make suggestions in our desire to improve legislation, and that is what I am attempting to do on the subject of taxation at this time.

Let me apologize for the poor workmanship that has been displayed in this diagram that I have placed before you [exhibiting]. It was prepared when the report was received Saturday evening and the comparisons were given. It was done very hurriedly, and is not very artistic, I admit, but gives the comparisons I will later refer to.

I wish you would study the figures as I go along with my discussion of the Mellon plan. But before I do that I want to add one word more to what the last speaker, the gentleman from Texas [Mr. JONES], has said about propaganda. I have here an editorial from a Philadelphia paper to the effect that the farmers are strong for the Mellon plan, and that 330,000 tillers of the soil will bring a petition to Washington in favor of the Mellon plan. I will agree to vote for the Mellon plan, as hard as it would be on my conscience to do so, provided you can find that those petitions were ever instituted with any thought of the Mellon plan. That is all I have to say about that. It is not propaganda, but it is pure misrepresentation of the worst kind by the Philadelphia news editorial when an article like that is put out by a reputable paper.

I have here another statement on the subject of propaganda, written by a man named Hebard, with an office on Rector Street, New York. He threatens to fight me in my home district unless I support the Mellon plan and do away with the soldiers' bonus, because he says I am absolutely wrong. He sent a copy of his letter, he says, to the Wisconsin papers. I have here another, a printed statement from New York, signed by one of my county constituents, and the statement calls upon

me to support the Mellon plan, allowing nothing to interfere with it. This statement does not say anything about voting against the bonus bill.

I am suggesting this subject of propaganda because most of you are getting sack loads of the same kind of matter. Who pays for it? Who instigates it? Who is especially benefited by the Mellon bill before us?

#### THREATS AND TESTS.

Mr. Speaker, threats have been hurled at the devoted head of every Congressman who refuses to sign on the dotted line for the Mellon bill. Metropolitan papers and letter writers predict dire results for all of us unless we surrender our judgment and admit that a vicious, unparalleled propaganda inspired by great interests must be substituted for mature study and deliberate judgment when legislating for the whole people on taxation.

I have a tabulation that may be interesting, and I believe is reasonably accurate, as to rewards and penalties meted out to those who voted on the tax-reduction proposal last session of 50 per cent to 32 per cent, which was a much less drastic tax cut than in the Mellon bill before us.

That vote is understood to show that 203 Republicans voted on the motion to agree to the Senate amendment restoring the 50 per cent surtax. Of the 203 Republicans, 171 were against the Senate amendment, aided by 2 Democrats, while 94 Republicans voted with 108 Democrats to restore the 50 per cent surtax which prevailed.

Of the 94 Republicans voting to reduce the surtax to 50 per cent, 67 were returned and 27 were not returned, an average of 70 per cent reelected on their record. Of the 171 Republicans voting to reduce the tax, 100 were reelected and 71 were not returned, or an average of about 59 per cent reelected on their record.

This does not prove all that the figures apparently disclose, because other causes intervened in the result in many cases, but when 70 per cent were returned of those who voted against a reduction from 50 per cent to 32 per cent and only 59 per cent of those who voted for the reduction, it appears that threats from New York, Philadelphia, and other big business men do not reflect the views of the people back home who are not stampeded by propaganda.

#### TAXES AND PROPAGANDA—THE MELLON TAX "ADJUSTMENT" AND A SUBSTITUTE PROPOSAL.

Last week an announced Republican candidate for President, Senator JOHNSON, publicly declared "we have never in this country had anything like the propaganda we now have in behalf of the so-called Mellon plan." "It is propaganda most carefully prepared and stimulated."

Three hundred letters or more daily, I am informed, are received by the Ways and Means Committee. Every member of the committee is deluged with letters written at the instigation of leagues, boards, and clubs. Who is behind this unparalleled propaganda? It will not be hard to locate in a leading bank official not far from New York City, I am told.

If the country is informed of the logical effect of the so-called Mellon bill, I do not believe its passage will be possible. In fact, after the high surtax defeat by Congress last session by 29 majority in the House when supported by letters from President Harding and Secretary Mellon, there seems little danger that either the House or the Senate will now be swept off its feet by propaganda.

Last session the cut in high surtax was urged because business was stagnant and the cut was then needed to infuse new life into industry through stagnant funds now placed in tax-free securities. To-day when business is booming, banks loaded with funds, large dividends being distributed, and melons cut we are again urged to reduce high surtaxes 50 per cent in order to help business. What business? Whose business?

Let us consider the Mellon bill, its proposals for tax reduction, substitute proposals for tax reduction here offered to include passage of the soldiers' bonus bill, and finally tax adjustments that are just and should be made without delay.

I do not claim that I have the only cure-all, but I desire to suggest that the Members consider this diagram of tax comparisons for a moment. I wish to explain that the last line covers practically the whole thing. The last line states the substitute is formed by cutting the normal tax in half, from 8 to 4 per cent and from 4 to 2 per cent where they now exist in the law. That is all there is to this, in addition to Mr. Mellon's proposition of a reduction of 25 per cent on earned incomes. To this proposal most people are agreed. I have taken his same comparisons and carried them out on the proposal here.

Mr. GRAHAM of Illinois. Will the gentleman yield?

Mr. FREAR. I am anxious to finish. I shall be glad to yield later.

Mr. GRAHAM of Illinois. I wish the gentleman would explain that chart.

Mr. FREAR. It would take me several minutes to do that in detail, and I really think the chart explains itself.

Mr. GRAHAM of Illinois. What do you mean by "substitute tax"?

Mr. FREAR. That is the tax I am offering as a substitute for the Mellon tax plan.

Mr. GRAHAM of Illinois. That is the tax you are yourself offering?

Mr. FREAR. Yes; the tax I am offering here.

Mr. GRAHAM of Illinois. It did not take long to answer that.

Mr. FREAR. I did not know you wanted to ask that question and am glad to explain so far as time permits.

#### A SUBSTITUTE TAX PLAN V. THE MELLON PLAN.

The Mellon tax plan gives a 25 per cent reduction on normal tax and takes off the 1 per cent surtax from \$6,000 to \$10,000, beginning surtax at the latter figure. The substitute plan gives a 50 per cent reduction in normal tax and leaves the surtax as it is throughout, a tax on those best able to pay.

Quoting Mr. Mellon's comparison of a married man with two children in letter of November 10, 1923:

Income.	Present tax.	Proposed Mellon tax.	Substitute proposal.
\$4,000.....	\$28.00	\$15.75	\$10.50
\$5,000.....	68.00	38.25	25.50
\$6,000.....	128.00	72.00	48.00
\$7,000.....	186.00	99.00	76.00
\$8,000.....	276.00	144.00	116.00
\$9,000.....	366.00	189.00	156.00
\$10,000.....	456.00	234.00	196.00

The substitute tax plan based on Mr. Mellon's illustration gives an average reduction of over 20 per cent below the Mellon reduction from \$4,000 to \$10,000 and is over 60 per cent below present rates. It is based on a square reduction given to every taxpayer and I submit it as a substitute for consideration by the House when tax legislation is reached.

I have made no particular study of the Democratic tax proposal published in the press this morning. The 50 per cent cut in normal tax, which extends throughout the above substitute plan, is only contained in the Democratic proposal up to \$10,000, whereas the surtax by their plan begins at \$12,000 and reaches a high mark of 44 per cent instead of 50 per cent as at present, whereas no change in present surtaxes occur in the substitute.

By making one straight cut in normal taxes of 50 per cent present rates and carrying it through to the end, practically the same result is had as in the Democratic plan, and it can be defended without being open to the charge that salaries under \$10,000 have been given special consideration.

Secretary Mellon has furnished Congress with a 344-page bill, which we are asked to enact into law, a sort of sign on the dotted line document. He does not want a soldiers' bonus given but does ask that his own taxes be reduced 50 per cent. It is an even wager he never read the 344-page bill handed Congress by his clerical force that asks to have 28 of its members given \$10,000 salaries each without confirmation by the Senate.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. FREAR. I will later but not now. I will be glad to yield later.

Mr. CHINDBLOM. I think the gentleman desires to be accurate. Is it not a fact that the 344 pages contained both bills?

Mr. FREAR. Oh, yes; both bills. Those pages contain the present law and proposed changes, all of which we are obliged to read and examine.

Hundreds of chambers of commerce and thousands of other business units have deluged Congress with absolute and unqualified support of a Mellon tax bill that none of them have ever seen.

Every great newspaper in the country, with rare exceptions, for many weeks has been absolutely and unqualifiedly for the Mellon bill that never was released until a week ago. Influential magazines like the Saturday Evening Post, Literary Digest, and other journals for many weeks have depicted the beauties of the Mellon tax bill, and incidentally score "politicians" who do not see through Mr. Mellon's spectacles. The movies and the theaters of the country, to be exempted from \$70,000,000 annual taxes by the 344-page tax bill, cry for it, while incidentally one of the 10 richest men in the country, reputed to enjoy

over \$5,000,000 annual income, possibly more than double that figures, favors his own bill that presumably may save him \$1,000,000 or more annually in income taxes. If not exact, let us have the exact figures shown by the Treasury secret records. The issue raised is neither political, personal, nor partisan. No party platform would have dared ask votes from the country on an antisoldiers' bonus or 50 per cent surtax cut promise to multimillionaires.

#### THE BIG AND LITTLE FELLOW.

Mr. Mellon's plan cuts the little fellow's normal tax 1 and 2 per cent, while it cuts the high surtax from 50 per cent to 25 per cent. This is ostensibly so his bill will release surplus money from tax-free securities for "active business." Every reasonably safe foreign bond flotation is oversubscribed many times by New York financial interests. Billions of dollars in good, hard American money are now invested in Cuba, Europe, China, the Philippines, South and Central America by Americans, and billions more are available for profitable investments. There are abundant funds for legitimate business home and abroad, but all arguments are used for this tax bill. Experts say a reduction of surtax from 50 per cent to 25 per cent or even 20 per cent or less will not materially affect tax-free investments.

Propaganda is heavy for the Mellon plan from the Treasury press service, from the movies, and from the news press hourly. Not from every quarter, however, for nine out of every ten persons back home who send us to Congress are silent on the subject. They expect us to know the facts, undeceived by herring trails.

Not one farmer in fifty will be helped by the Mellon income-tax plan of reduction. Not one workman on the average out of twenty presumably will be affected. Four million ex-soldiers will be thrown into the discard in order to grant primarily a movie tax cut and 50 per cent income-tax reduction on great fortunes and smaller benefactions to others as fortunes decrease, thus reversing the principle of taxation.

Not one tax letter of the hundreds received by me has come from a farmer. Not one Mellon letter has come from a small-salaried laborer, and these make up four-fifths of the people directly or indirectly affected. Letters from business men, manufacturers, Union Leagues, and similar agencies, responding to propaganda, compose the missionary work that is seeking to put through the Mellon tax plan by threats held over Congress.

Mr. Mellon's first outstanding proposal is his demand that Congress cut high surtaxes from 50 per cent to 25 per cent. He thus advocates a surrender of the income-tax principle in order to prevent high incomes from investing in tax-free securities. He says so, but his proposed remedy is both ineffectual and indefensible.

I have letters from tax experts and presidents of banks assailing Mr. Mellon's surtax cut on high incomes of from 50 per cent to 25 per cent. The same attempt to effect a proposed cut was defeated last year. Then the House defeated the Mellon proposal, as stated, 202 to 173. Of the 94 Republicans who with 108 Democrats joined in that defeat, over 70 per cent were returned and are here. Of their colleagues who stood with Mr. Mellon, nearly half fell by the wayside last election.

#### HOW CHECK PROFITEERING?

Again, Mr. Mellon's tax plan opposes any profits tax whereby to meet the unconscionable fever of profiteering now rampant. A fierce exhortation of profiteers occurred in a recent address from Mr. Gary, the steel magnate, although great wealth opposes any practical means of reaching profiteers.

Mr. Gary said:

At the present day in many lines there is in conduct on the part of both the employer and the employee unfairness, greed, reckless and brutal disregard for the proprieties and decencies of human contact. \* \* \* Prices just now in many respects and in many places are unconscionable, and they enter into the very high cost of living.

Mr. Gary's philosophy, however, like that of Mr. Mellon, Mr. McLean, and Mr. Rockefeller, and other men of large wealth, comprehends unlimited profits and heavy holdings, with a sprinkling of ostentatious charity as a conscience offering, even as another steel magnate posthumously gave from the Carnegie Foundation \$150,000 used in part by a "security league" in trying to defeat 300 Congressmen and Senators during the war.

Again, Mr. Mellon's tax plan opposes any increased inheritance tax to reach eventually his own fabulous wealth. Opposition has been expressed by him before our committee, although it seems to be the only way at present to reach wealth invested in tax-free securities. Catch it eventually, if not now.

## GOING ROTTEN WITH RICHES.

In America there is almost oppressive evidence of wealth. There is always a danger with such vast unexampled prosperity going on unchecked of a country going rotten with riches.

That sounds communistic, but it is from Stanley Baldwin, present English Prime Minister, after his visit to the United States a few months ago. "Rotten riches" that escape taxation are in a comparatively few hands. These "rotten riches" unanimously oppose any soldiers' bonus bill and favor placing a sales tax on the backs of "God's patient poor," because, in the words of Jules Bache, wealth now spends 11 months trying legally to avoid taxes and the twelfth month is anxiously occupied in preparing returns to get past the taxgatherer.

Taxation can help adjust burdens of government, and no wise person will willingly leave God's country to escape taxes. If so, there will be few mourners. Europe groans under far heavier taxes, and no country in the world compares with ours. All that should be asked from great wealth is fair contribution, but that should be given without evasion.

Constant reiteration of the so-called "Mellon plan" in Treasury pronouncements and press propaganda makes him its standard bearer, so he must stand or fall by the bill's logic or lack of logic. Secretary Mellon now informs the country that instead of a Treasury deficit prophesied by him two years ago he finds, notwithstanding tax-free securities, stock dividends, and other tax evasions, that the Treasury will have an unexpected average annual surplus of about \$310,000,000.

Mr. Mellon is, I fear, a financial prophet, whose predictions must be carefully weighed, for last session he advised President Harding a soldiers' bonus bill of \$200,000,000 annually would cause a great Treasury deficit. This year he informs President Coolidge that a soldiers' bonus bill must not be passed if the unexpected surplus of \$310,000,000 is to cover his "movie" tax reduction bill.

I submit briefly the plan of discredited prophecy and discredited logic in round numbers:

First. 25 per cent reduction on earned income-----	\$100,000,000
Second. 1 per cent reduction normal tax-----	100,000,000
Third. 25 per cent reduction high surtax "readjustment"-----	100,000,000
Fourth. Repeal of theater and "movie" tax-----	70,000,000
Fifth. Repeal of telegraph and telephone tax-----	30,000,000
Total-----	400,000,000
A tax credit of-----	70,000,000
Leaves a net proposed tax reduction of-----	\$330,000,000

[NOTE.—The second and third proposals, aggregating \$200,000,000, are combined in the substitute later offered, wherein No. 3 is rejected, but the same total amount is reached by doubling the normal tax reduction over the proposal of Mr. Mellon.]

## THE SOLDIERS BONUS AND TAXES.

This Treasury plan prevents any soldiers' bonus bill.

If Mr. Mellon has an estimated 5 per cent net income on his fabulous wealth, then \$5,000,000 or more annually is probably received by him, or from \$15,000 to \$20,000 every day of the year. Presumably his income was higher during the war. Why, then, begrudge \$1.25 a day bonus during service to the fellow who only got \$1 a day during the war to be shot at while living among the trenches, mud, and vermin, or why oppose giving a dollar a day to the boy who perchance lost his job when we seized him bodily and sent him to war?

Mr. Mellon, Mr. McLean, editor of the Washington Post, and men of great wealth generally oppose the soldiers' bonus bill and support the Mellon tax plan.

Congress, however, I believe, is going to pass a soldiers' compensation bill notwithstanding the protests of big business men. If vetoed, Congress will carry out what is believed to be the overwhelming desire of the people and make the bill law, if it is possible to do so.

The soldiers' bonus bill takes about \$150,000,000 annually, according to estimates, for a period of 20 years, which eventually will be more than covered back into the Treasury by the English debt payments of \$4,000,000,000, saved to us by the boys who now ask for the so-called bonus. If anything is saved to us from the remaining \$7,000,000,000 of foreign debts, that will further increase revenues.

Deducting the bonus payment from the annual surplus of \$310,000,000 leaves a Treasury surplus of about \$160,000,000 that can be used in any event for application on our \$22,000,000,000 national debt or else for tax reduction. Secretary Mellon's statement last session that a bonus bill would cost the Government \$185,625,000,000 is not forgotten. Of course, it was an innocent mistake, and so was his prophesied Treasury

deficit this year, but mistakes running into hundreds of millions of dollars annually are of serious moment when we are asked to weigh his advice now.

## WHY ONLY A "PROPAGANDA" NUISANCE?

Glancing at Mr. Mellon's tax plan it will be seen that of less than \$330,000,000 of his proposed tax reduction, \$70,000,000 are for theater admissions and movie taxes. This item is from 20 per cent to 25 per cent of the total and explains why a generous proposed Christmas present to the movies rather than to the soldiers is reciprocated by \$70,000,000 of propaganda in its favor now deluging the country through the movies with demand to "write your Senator and Congressman to support the Mellon bill." Why take out one nuisance tax and leave candy, cameras, purses, fans, paintings, fountain pens, jewelry, and others practically untouched? Is it because candy can not carry this unprecedented tax propaganda?

Mr. Mellon's \$100,000,000 surtax reduction item begins by elimination of all surtaxes below \$10,000 incomes. Like the movie \$70,000,000 bait, this last proposal includes Senators and Congressmen whose salaries would thus be exempted from any surtax. The temptation is hard to resist, but if the normal taxes are cut in half as proposed, thus giving to Congressmen, to Mr. Mellon, Mr. McLean, and the humblest taxpayer the same reduction, then Senators and Congressmen will get the same ultimate tax reduction proposed by Mr. Mellon, or more as shown by the table, not granted as a special favor but as a fair, just return extended to all alike. We can defend this proposal but not that offered by Mr. Mellon. His plan gives us a small slice of the melon with much more to the movies and grants him half a melon cut of from 50 per cent to 25 per cent. Ours invites close scrutiny in its fairness. Last session I received 165 letters protesting the candy tax; almost as many came to me against the jewelry tax. This year the sum total is two letters, while the movie child screams hourly. Whence the stillness in candy and jewelry, and why the new great noise? What is the Treasury understanding, if any, and where does Congress come in?

## A PROPOSED TAX SUBSTITUTE.

Starting out with a Treasury surplus of \$310,000,000 against which bonus bill payments will make a charge of \$150,000,000, leaves a \$160,000,000 surplus as stated that it is proposed to handle differently and more justly than does the Mellon plan. To help the most needy fellows the following alternative tax reduction proposal is submitted:

First. Reduce the tax on earned incomes \$100,000,000.

Second. Reduce normal taxes double the Mellon plan \$200,000,000.

Third. Repeal all nuisance and luxury taxes dependent upon enactment of certain laws. Do not discriminate in favor of the \$5 opera ticket and exclude the child's 5-cent stick of candy. One hundred children munch candy suckers for every buyer of a \$5 ticket. Take all nuisance taxes or leave all is a fair proposal.

Do not cut high surtaxes one-half for men of great wealth and then exempt Senators and Congressmen from surtaxes, nor ask for movie propaganda in exchange for special movie favors. Let us make a straight, square cut all along the line without special favors.

The same charge may be made against the Democratic proposal made public this morning. Why exempt our salaries unless in a general equitable tax-reduction plan?

In the proposed reductions the normal tax is cut squarely in half, reducing, for illustration, the normal tax on \$4,000 incomes from 4 per cent to 2 per cent and above that figure from 3 per cent to 4 per cent. As the present law surtax of 1 per cent begins at \$6,000, this tax reduction is shown to be absolutely fair to all, whereas the Mellon tax beginning at \$10,000 and high income reduction is indefensible to 6,000,000 out of 7,000,000 income-tax payers who will get no particular benefit under the Mellon plan, but all share under the normal one-half tax cut.

Every one of the 7,000,000 income-tax payers will get exactly the same reduction by my plan instead of a cut of 25 per cent of the surtax for men of large wealth and only 1 per cent or 2 per cent of the normal tax for the little fellow. If this much is clear, then I add we can pass the soldiers' bonus bill, the 25 per cent reduction on earned incomes, and cut in half the normal tax if for less than \$200,000,000 additional can be provided. Possibly increased English debt interest and other revenue will provide sufficient funds without tax increase.

## JUST AND CERTAIN REVENUE PRODUCERS.

We have to offer, however, a definite equitable program by which to raise several times any needed amount by enforcing existing law, and far in excess of that amount if needed

tax laws are passed. Tax-adjustment proposals to afford larger tax reductions include—

First. A law specifically taxing net income from certain municipal and State securities.

Second. A moderate excess-profits tax.

Third. Increased inheritance tax.

Fourth. Gift tax.

Fifth. A moderate tax on undistributed profits.

Sixth. Publicity of tax records that will increase returns.

This program, in whole or in part, can be defended, whereas the Mellon plan is, apparently, a bid throughout for the support of favored interests or a trading proposition.

Bills have been introduced covering every proposal above named. If adopted, all nuisance taxes, including the overworked movie propaganda, can be abolished, our great national war debt speedily reduced, a soldiers' bonus law granted, and normal business methods follow.

First. Enact a law specifically taxing net incomes from certain municipal and State securities without waiting for a constitutional amendment which could not possibly reach \$20,000,000,000 or more of outstanding so-called "tax-free" securities. A proposed bill requires the concurrence of all but one judge to set aside the law when passed. Income-tax collections will jump forward if this law holds, and Mr. Mellon repeatedly and publicly has declared for taxation of this income hereafter.

Second. Enact a law to meet the wave of profiteering condemned by Gary, which covers practically every business, including coal, oil, meats, clothing, and other necessities of life, and rents and stock gambling. A proposed bill grants first an 8 per cent profit absolute exemption, as under the old law, then places a 10 per cent tax on the next 20 per cent of profits, and then a 75 per cent tax on all profits over 28 per cent, as set forth in the bill. A 28 per cent profit is nearly five times the legal rate of interest in New York and New Jersey. It ought to satisfy. Recommendations of the Coal Commission for a profits tax for 50 per cent or 100 per cent coal hogs is certainly good medicine for all profiteering hogs.

Third. Enact a law increasing inheritance taxes on large estates to conform with English, French, and other laws, allowing a credit at a fixed rate to the State where estate taxes are collected. This is the only way to collect taxes on tax-free securities held by such estates. England has no tax-free securities. We have much to learn from her experience. A gift tax is also a necessary corollary of an estate tax. Bills have been offered on both subjects.

Abundant authority for heavy estate taxes to limit wealth can be found among well-known men, including Roosevelt, Carnegie, Wanamaker, and other men who professed to see a national menace in all-powerful wealth, more threatening in this country than in any other.

Twenty-five thousand new millionaires since 1917 are estimated to have been added to the holders of what Baldwin terms "rotten riches." Some of these holders of great wealth are reputed to be worth upward of a billion dollars, whereas 6,500,000 farmers averaged only \$469 income in 1921 according to Government reports. These farmers and several million laboring men are not engaged in pressing propaganda for Mr. Mellon's tax plan or tax-escape plan we are asked to adopt.

In England the Labor Party, growing rapidly in power, is making its principal issue a 50 per cent capital levy on individual fortunes of \$5,000,000 and over, with a graduated scale on smaller amounts, whereas here wealth denounces those who seek to prevent tax evasions under our moderate tax laws.

#### HOW TO REACH STOCK DIVIDENDS.

Fifth. Enact a moderate tax law on undistributed profits to reach corporations that laid by \$2,000,000,000 in stock dividends in 1922 which escaped all personal-income taxes. This will be a substitute for the 25 per cent penalty provisions of section 220, affecting stock dividends, reintroduced in the new Mellon bill, but a law that Secretary Mellon has ever failed to enforce. If this law can be secured, it will overcome a common method of tax evasion effected by great corporations through the five-to-four Supreme Court stock-dividend decision. Secretary Houston, when at the helm of Treasury affairs, urged a far more drastic undistributed-profits tax proposal on Congress of 20 per cent. If good then, why not now?

I do not question Secretary Mellon's high ability, honesty, or integrity, nor have I any personal grievance. The fault is with the system. Why place any man of great wealth in a key position that should make wealth disgorge its just taxes? Do politics demand that? What would you do if, when drafted at a \$12,000 annual salary, your \$12,000 daily income and that of business associates depended on your interpretation of the law, with experts pointing out two safe courses to pursue, and the construction and decision then to be smothered with legally

imposed secrecy? Is not this the acme of governmental absurdity, evidenced by the present system and by the Mellon bill before us?

With like inconsistency we educate tax experts at Government expense until after learning all the devious crooks and turns of tax dodging they then resign to capitalize that knowledge with private concerns. That is another fruit of secrecy and covering up.

#### SECRECY HELPS PRESENT PROPAGANDA.

Sixth. Congress and the country know nothing about happenings behind the closed doors of the Treasury except as filtered out meagerly and impersonally. It is the most important and least known of all departments of the Government. Secrecy is a prime cause for failure to secure needed curative financial legislation. That is one reason for some of the selections for this vastly important departmental post. Do men of wealth generally invest their vast fortunes in tax-free securities, like the 60 per cent investment disclosed in William Rockefeller's estate? Nobody knows but Mr. Mellon. Does Mr. John Rockefeller have an annual income of \$20,000,000, or has it all been given away, thus entirely escaping inheritance taxes? Nobody knows but Mr. Mellon. Did Secretary Mellon's Gulf Oil Co. lead in stock dividend melon cutting by \$200,000,000, as publicly advertised, or have any penalties been imposed by him under section 220 on \$2,000,000,000 of stock dividends last year? Nobody knows but Mr. Mellon. Were several hundred millions of dollars refunded in taxes; if so, to whom and why? These facts are covered up by law to-day.

Covering up facts by the secrecy route, covering up facts we should know all about, leaving us filled with well-grounded doubt is the information handed out to Congress. A proposal to make public all tax records has been introduced. It was barely defeated by a vote of 35 to 33 in the Senate last session. Not one valid reason exists for the present blind groping by Congress for tax facts. Will Secretary Mellon aid in making public Treasury tax records? Will we act ourselves?

Provisions of the Mellon plan all deserve close scrutiny when, by section 1000, page 294, there is provided a board or court to consist of from 7 to 28 members, excluded from civil service, at \$10,000 salaries and \$10 per day expenses outside Washington, to be appointed by the Secretary, not to be confirmed by the Senate. When organized, this new Treasury oligarchy sits in secret behind closed doors. Salaries nearly comparable with members of the President's Cabinet and justices of the Supreme Court, to be relieved from existing taxes, however, by the Mellon bill, which curiously enough exempts \$10,000 salaries. I advise Members to read this 344-page bill and before voting for it to remember that the flood of propaganda from letter writers, news items, and the pathetic movie messages demanding its passage come from those who have never seen the bill and have, as a rule, no definite conception of its character or purposes.

#### PROPAGANDA SEEKS TO DESTROY THE INCOME TAX PRINCIPLE.

Let me say that I am not asking to place undue tax burdens on corporations or individuals but will be glad to have any reductions made in normal taxes that it may be possible to grant. My proposals have to do with maintenance of the income-tax principle and of taxing according to ability to pay. That principle is now being undermined by tax evasions familiar to every tax student.

I have tried to place before you the weakness of the Mellon tax plan and at the same time present a fair, just substitute. The whole income tax law is in danger. The law has been repeatedly emasculated or ignored as pointed out. First by a 5 to 4 decision against the law, second a 5 to 4 decision eliminating stock dividends from the constitutional amendment, and now a fear exists that a divided decision may declare State and municipal tax free, also a fatal weakness through failure to impose penalties. All these attacks have weakened the law. Every known method of evasion is practiced to-day to destroy the income tax law. From a great revenue producer and a correct principle of taxation it has become a tax sieve through which legal and illegal tax evaders drive at will. Only the little fellows unable to get expert advice get caught.

I do not seek to fix blame. That is useless. The court and commissioner have split hairs so frequently that the tax is almost as hairless as a billiard ball.

Unless we apply correct principles of taxation firmly and quickly we will face an abandonment of what promised to be a great tax law soon to be completely emasculated and destroyed by its supposed protectors. No man of great wealth whose interest lies against any law should be called on to enforce it, and in this I do not criticize Mr. Mellon personally or most of the administrative changes proposed by Secretary Mellon's bill.

Three things are needed to reinstate the income tax law as a just tax measure: First, tax net incomes on so-called tax-free securities; second, tax undistributed profits; third, stop the escape gaps.

An excess-profits, inheritance, and a gift tax are proper to complete a comprehensive scheme of taxation. Rates whether fixed or graduated are of secondary importance. Taxation without evasion is absolutely needed.

If tax administration was held in the open instead of in secret all these laws could be secured. Their necessity would then be apparent. A responsibility rests heavy on Congress to brush away the cobwebs of propaganda and provide laws that will protect small taxpayers without weakening the graduated tax principle. The Mellon bill is alleged to be a trading, unscientific, indefensible plan. The substitutes offered I believe are sound from beginning to end. [Applause.]

I have added two or three extracts that I will not refer to in detail to show the tremendous amount of business that was done in the last year, which would indicate that we do not need to cut surtaxes from 50 to 25 per cent in order to find money to invest in business. I have here two or three statements from financial journals, and they are to that effect. Also letters from tax experts and others of equal tenor. Then I have noted the bills introduced on the subject discussed, not necessarily for passage, but for your study. From this you will very quickly ascertain what bearing my statement has upon the various tax schemes which are proposed for passage.

I think there is nothing I need add in conclusion, except to say that here are several editorials of propaganda taken from Philadelphia papers. One is headed:

Put the screws on Pennsylvania's Congressmen.

Then the editorial goes on to say:

Let it not be forgotten that the Pennsylvania delegation in Congress refused in caucus to indorse the Mellon plan for tax reduction.

That is from one of the principal papers of Philadelphia. Then it goes on to show how the screws can be put on the Congressmen. I do not want my friends on the right side of the aisle to think that the screws are only to be put on Republicans, because this article says the screws should be put on every Member of Congress, whether Republican or Democrat. So this is a nonpartisan and nonpolitical matter, this thumb-screw pressure, my friends.

This subject is so large that in a few moments it is impossible to fairly cover it, but if I can answer any questions I shall be glad to do so. First, I want to ask unanimous consent to revise and extend my remarks in the RECORD.

The SPEAKER pro tempore. The gentleman from Wisconsin [Mr. FREAR] asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. BURTNESSE. Will the gentleman yield?

Mr. FREAR. Yes.

Mr. BURTNESSE. The question I had in mind pertains particularly to the corporation tax, but I note that you suggest the taxation of undistributed earnings?

Mr. FREAR. Undistributed profits.

Mr. BURTNESSE. And with that I very heartily agree.

The question, however, which occurs to me is this: The normal tax applied to corporations—

Mr. FREAR. Just a question, please.

Mr. BURTNESSE. I am going to put it in the form of a question. The normal tax applied to corporations is the one most easily passed on to the consuming public. I note that the gentleman's suggested plan, as well as the plan suggested by Mr. Mellon, and I believe also the plan suggested by Mr. GARNER in the papers this morning, all three fail to suggest a reduction of the corporation taxes of this country.

Mr. FREAR. We raised the normal tax on corporations from 10 per cent to 12½ per cent in 1921, and if we pass this tax proposal to reach undistributed profits or pass the excess-profits tax, there is no question but that the normal corporation tax could be reduced to the old figure.

Mr. O'CONNELL of New York. I know the gentleman does not mean to do an injustice, and I may say that the Literary Digest is not advocating this plan or any other plan, but is simply endeavoring to give both sides.

Mr. FREAR. Let me say to the gentleman that when you read the Literary Digest you find it is filled with propaganda on almost everything. The metropolitan journals are carrying a large amount of matter about the other side of this question favoring the Mellon tax plan, but the Literary Digest has shown very little interest apparently excepting in favor of the so-called Mellon plan.

Mr. O'CONNELL of New York. It is endeavoring to give both sides.

Mr. FREAR. And the reason I spoke of the Literary Digest is because it is very powerful, and is entitled to the high respect which it receives from the American reading public.

Mr. O'CONNELL of New York. I know the gentleman wants to be fair.

Mr. FREAR. Yes; absolutely.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. FREAR. May I have just five minutes additional?

The SPEAKER pro tempore. The gentleman asks unanimous consent that he be granted five additional minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. BLANTON. Will the gentleman yield?

Mr. FREAR. Yes.

Mr. BLANTON. Suppose the gentleman should fail in getting his substitute plan through, then, may I ask whether the gentleman and his followers would be willing to help the Democrats with their plan?

Mr. FREAR. I am glad the gentleman asked the question. I have no followers here in the House. I am leading no one, and am simply offering my suggestions after much study for your consideration, but I will say this: If I should join with my good Democratic friends on their tax plan I will be asked at once, "Why did you begin the surtax at \$10,000? So as to allow Senators and Members of the House to escape taxation?" And it is going to be hard for me or for you to defend that proposition. Or what benefit is to be derived from reducing the high surtaxes from 50 to 44 per cent, as proposed in the plan published this morning? In my proposition you do not have to explain, and I would suggest to the gentlemen on that side of the House that they take the plan I have here, and I hope we can stand together on that plan with support from both sides of the Chamber.

Mr. BLANTON. But the Democrats have a better plan.

Mr. FREAR. Oh, I can not—

Mr. BLANTON. As compared with the Mellon plan—and if it should be a question of one or the other of those two plans—I presume the gentleman would be willing to accept the better of the two.

Mr. BURTNESSE. Has the gentleman estimates of the amount of taxes his plan would raise?

Mr. FREAR. Oh, yes; because all I have to do is to take Mr. Mellon's estimate and apply my plan to his figures. Mr. Mellon estimates \$100,000,000, or \$92,000,000, if I remember the exact figures, will be the amount caused by the net reduction of one-fourth per cent in the normal tax which he proposed. I am putting the normal tax at one-half the present rate, which would be \$200,000,000, in round figures, and I match that simply against the surtax changes, which he puts at \$97,000,000. I have offered no change in existing surtax rates.

Mr. BURTNESSE. Putting it briefly, could this proposed plan of cutting in two the normal taxes, coupled with the elimination of all the nuisance taxes, raise sufficient funds to run the Government?

Mr. FREAR. With these other tax plans I have proposed; yes.

Mr. BURTNESSE. But outside of those plans?

Mr. FREAR. No; because you can not take out half the normal tax and reduce the earned-income tax one-fourth and pass the bonus bill and at the same time remove all the nuisance taxes. Mr. Mellon himself does not propose that or nearly the result I expect to reach. He takes out \$70,000,000 for the movies and theaters and then \$30,000,000 for transportation, but he does not touch the other nuisance taxes, nor does he suggest any revenue provision for a soldiers' bonus law. In fact, he is opposed to the bonus, which will take about \$200,000,000 annually, according to estimates.

Mr. LINTHICUM. I have here the estimates issued under the Democratic plan, and I notice that on an income of \$5,000 under the present law the tax would be \$100, and you have it at \$68.

Mr. FREAR. Of course, I can not make a comparison with the Democratic statement, because that is based on a married couple without any dependents, and I followed the example given in Mr. Mellon's letter to Mr. GREEN of Iowa. I used Mr. Mellon's comparison.

Mr. LINTHICUM. In other words, you calculated on a married man with two children as dependents?

Mr. FREAR. Yes; that is what Mr. Mellon did in his letter, and I simply carried out his comparison, but everything here [indicating map] rests on the last line where the normal taxes

are cut in two. That is the reduction which reaches all alike and helps particularly the small taxpayer.

Mr. O'CONNELL of Rhode Island. Will the gentleman yield?

Mr. FREAR. Yes.

Mr. O'CONNELL of Rhode Island. Is it not a fact that the original letter to the acting chairman of the Ways and Means Committee was written under date of November 10, 1923, and with the tables was only six pages in length, but the revenue act of 1924, as proposed by Secretary Mellon, is 344 pages in length and was first given general publicity about December 29, 1923, and, further, that most of the letters and telegrams received by the Members of this Congress expressing unqualified approval of the Mellon plan were received previous to the general publicity which was given to that bill, so that the persons writing their conclusions had no intimate knowledge of the many provisions of that act?

Mr. FREAR. I attempted to make that clear in my statement at the outset that this was practically the case. There is only this to be said, however, in all fairness, that the statement of six pages carried out what was intended to be the principal points, but the bill itself contains 344 pages and includes the part of the law that is to be stricken out as well as the new parts that were to be inserted. The statement in the press, letters, and propaganda speak for themselves.

Mr. EVANS of Montana. I would like to ask if in your judgment, with this cut in the tax rates, we could still pay the bonus?

Mr. FREAR. We can pay the bonus, but we can not make a drastic cut in taxes without having some means of raising the revenue to finance the bonus bill, nor could we do so under Mr. Mellon's tax plan or under the Democratic tax plan. Under any of these tax plans you will have to provide other revenues if you have the bonus and tax reduction; but I have suggested many ways in which we can raise taxes, and if adopted, either by excess profits, undistributed profits, or other means, the revenue will be fairly raised, I believe.

Mr. EVANS of Montana. That I understood from your statement as you went along.

Mr. FREAR. Yes. I thank you for the time extended to me. [Applause.]

#### ADDENDA.

##### ENORMOUS PROFITS OF 1923.

In 1922 large business profited so that in addition to cash dividends distributed among stockholders over \$2,000,000,000 was distributed in stock dividends that escaped any personal income tax.

From a financial statement dated January 2, New York, I quote:

American industrial corporations shared quite liberally with their stockholders the fruits of their enterprise in 1923. The preponderance of dividend "changes" were in favor of the stockholders and disbursements in contrast to those of the 1922 year and were mostly in cash instead of in new stock. The most conservative estimate of the cash paid over to stockholders in extra payments in 1923, not including the regular dividends, was \$500,000,000. \* \* \*

The various companies comprising the Standard Oil group paid out or authorized the payment of \$37,545,805 in dividends during the last quarter of 1923, making a total for the year of \$138,423,295.

These are the great interests that are alleged to require a 50 per cent reduction of surtax on high incomes to maintain business that is being destroyed by tax-free securities, according to Mr. Mellon.

When it is remembered that 6,500,000 farmers in 1921 earned an average of \$469, not 2 per cent of whom are likely to have gotten into the \$5,000 income class, and that none of these farmers are clamoring for the Mellon tax plan, it is not hard to determine who the plan is intended to benefit primarily, nor is it those who stood in the trenches less than six years ago at \$1 a day. Rather is it for those who stayed home accumulating wealth that now asks for reduced taxes.

From another financial statement I quote:

Of the total amount of securities in the Nation in 1922 the most careful estimates indicate that 19.3 per cent was exempt from taxation. Of this, 6.7 per cent (\$18,400,000,000) was exempt real property and 12.9 per cent (\$35,000,000,000) was other exempt property, of which a large part was outstanding Government tax-exempt securities.

The filing of the report on the final settlement of the estate of William Rockefeller during the past year brought out the fact that of the \$67,649,660, which was given as the net value of the estate, \$43,533,055 was in the form of tax-exempt securities. That is to say, about 60 per cent of the income was tax free.

#### BILLS THAT WILL HELP IF ENACTED INTO LAW.

A bill (H. R. 4524) to tax the net income on municipal and State securities.

*Be it enacted, etc.,* That section 200 of the general provisions of the income tax law is hereby amended by providing—

"Subdivision 6. The term 'taxable incomes, from whatever source derived,' shall include net incomes received from State and municipal securities and shall be laid and collected the same as all other taxes."

SEC. 2. This act shall not be held unconstitutional or void by the Supreme Court without the concurrence of at least all but one of the judges and shall remain in full force and effect notwithstanding any decision by any inferior court rendered prior to final determination by the Supreme Court.

#### A PROPOSED EXCESS-PROFITS TAX TO REACH PROFITTEERING.

Repeal section 301 and section 302, revenue laws 1921, approved November 23, 1921, and insert in lieu the following:

"SEC. 301. That in lieu of the tax imposed by Title III of the revenue act of 1918, but in addition to the other taxes imposed by this act, these shall be levied, collected, and paid for the calendar year 1922 and each year thereafter upon the net income of every corporation (except corporations taxable under subdivision (b) of this section) a tax equal to the sum of the following:

[First bracket.]

"Ten per cent of the amount of the net income in excess of the excess-profits credit (determined under section 312) and not in excess of 20 per cent of the invested capital.

[Second bracket.]

"Seventy-five per cent of the amount of the net income in excess of 20 per cent of the invested capital.

"Reenact balance of excess-profits tax law."

#### AN INHERITANCE TAX TO REACH TAX-FREE HOLDINGS.

Mr. FREAR, in the House of Representatives, introduced the following bill, which was referred to the Committee on Ways and Means and ordered to be printed:

A bill to amend an act entitled "An act to reduce and equalize taxation, to provide revenue, and for other purposes," approved November 23, 1921.

*Be it enacted, etc.,* That section 401 of an act entitled "An act to reduce and equalize taxation, to provide revenue, and for other purposes," approved November 23, 1921, be amended so as to read as follows:

"SEC. 401. That in lieu of the tax imposed by Title IV of the revenue act of 1921 a tax equal to the sum of the following percentages of the value of the net estate (determined as provided in section 403) is hereby imposed upon the transfer of the net estate of every decedent dying after the passage of this act, whether a resident or nonresident of the United States:

"Two per cent of the amount of the net estate not in excess of \$50,000.

"Four per cent of the amount by which the net estate exceeds \$50,000 and does not exceed \$150,000.

"Six per cent of the amount by which the net estate exceeds \$150,000 and does not exceed \$250,000.

"Eight per cent of the amount by which the net estate exceeds \$250,000 and does not exceed \$450,000.

"Ten per cent of the amount by which the net estate exceeds \$450,000 and does not exceed \$750,000.

"Twelve per cent of the amount by which the net estate exceeds \$750,000 and does not exceed \$1,000,000.

"Fourteen per cent of the amount by which the net estate exceeds \$1,000,000 and does not exceed \$2,000,000.

"Sixteen per cent of the amount by which the net estate exceeds \$2,000,000 and does not exceed \$3,000,000.

"Eighteen per cent of the amount by which the net estate exceeds \$3,000,000 and does not exceed \$4,000,000.

"Twenty per cent of the amount by which the net estate exceeds \$4,000,000 and does not exceed \$5,000,000.

"Twenty-two per cent of the amount by which the net estate exceeds \$5,000,000 and does not exceed \$6,000,000.

"Twenty-four per cent of the amount by which the net estate exceeds \$6,000,000 and does not exceed \$8,000,000.

"Twenty-six per cent of the amount by which the net estate exceeds \$8,000,000 and does not exceed \$10,000,000.

"Twenty-eight per cent of the amount by which the net estate exceeds \$10,000,000 and does not exceed \$12,000,000.

"Thirty per cent of the amount by which the net estate exceeds \$12,000,000 and does not exceed \$14,000,000.

"Thirty-five per cent of the amount by which the net estate exceeds \$14,000,000 and does not exceed \$16,000,000.

"Forty per cent of the amount by which the net estate exceeds \$16,000,000 and does not exceed \$18,000,000.

"Forty-five per cent of the amount by which the net estate exceeds \$18,000,000 and does not exceed \$20,000,000.

"Fifty per cent of the amount by which the net estate exceeds \$20,000,000."

*Provided*, That wherever said estate is charged by law with and pays an inheritance tax to any State or States, such State tax when so paid, not to exceed 25 per cent of the tax herein provided, shall be deducted as a credit against the tax to be collected by the commissioner.

All estate-tax returns and notices shall be public records and open to public inspection at reasonable hours, to be fixed by the Secretary of the Treasury.

#### GIFT TAX A NECESSARY COROLLARY OF THE INHERITANCE TAX.

Mr. FREAR, in the House of Representatives, introduced the following bill, which was referred to the Committee on Ways and Means and ordered to be printed:

A bill to amend Title II of the revenue act of 1921.

*Be it enacted, etc.*, That section 229 of Title II of the revenue act is hereby amended by adding a new subdivision to read as follows:

"SEC. 229 (a). That a tax equal to the following percentages of the net value of every gift to any individual is hereby imposed upon the property so conveyed, to be paid by the grantee within 90 days after the making of such gift:

"One per cent of the amount in excess of \$1,000 and not in excess of \$3,000;

"Two per cent of the amount in excess of \$3,000 and not in excess of \$5,000;

"Three per cent of the amount in excess of \$5,000 and not in excess of \$10,000;

"Four per cent of the amount in excess of \$10,000 and not in excess of \$20,000;

"Five per cent of the amount in excess of \$20,000 and not in excess of \$30,000;

"Six per cent of the amount in excess of \$30,000 and not in excess of \$40,000;

"Seven per cent of the amount in excess of \$40,000 and not in excess of \$50,000;

"Eight per cent of the amount in excess of \$50,000 and not in excess of \$100,000;

"Nine per cent of the amount in excess of \$100,000 and not in excess of \$200,000;

"Ten per cent of the amount in excess of \$200,000 and not in excess of \$300,000;

"Eleven per cent of the amount in excess of \$300,000 and not in excess of \$500,000;

"Twelve per cent of the amount in excess of \$500,000 and not in excess of \$1,000,000;

"Thirteen per cent of the amount in excess of \$1,000,000 and not in excess of \$2,000,000;

"Fourteen per cent of the amount in excess of \$2,000,000 and not in excess of \$3,000,000;

"Sixteen per cent of the amount in excess of \$3,000,000 and not in excess of \$4,000,000;

"Eighteen per cent of the amount in excess of \$5,000,000 and not in excess of \$5,000,000;

"Twenty per cent of the amount in excess of \$5,000,000 and not in excess of \$8,000,000;

"Twenty-two per cent of the amount in excess of \$8,000,000 and not in excess of \$10,000,000; and

"Twenty-five per cent of the amount in excess of \$10,000,000.

"(b) Any trusteeship or other agency created for the holding of or administration of any gift to any individual shall pay the same tax as if the gift was made direct.

"(c) In any case where the collector finds the payment of the tax within 90 days would impose undue hardship upon the grantee he may grant an extension of time not to exceed three years from the due date, with interest added at the rate of 6 per cent per annum after the expiration of said 90 days.

"(d) If more than one gift is made to the same grantee by the same grantor within the period of three years the total amount shall be considered cumulative and subject to the highest rate of tax for such cumulative amount, subject to deductions for tax payments theretofore paid on any part of such amount.

"Any fictitious loan, exchange, or other transfer designed to evade this act shall subject the grantee or grantor to a penalty equal to and in addition to the tax herein provided. Such penalty shall be collected in the same manner as other penalties."

#### TAX ON UNDISTRIBUTED PROFITS.

Mr. FREAR, in the House of Representatives, introduced the following bill, which was referred to the Committee on Ways and Means and ordered to be printed:

A bill amending section 230 of the revenue act of 1921.

*Be it enacted, etc.*, That section 230 of the revenue act of 1921 is hereby amended by adding a new subdivision at the end thereof as follows:

"(c) In addition to the taxes herein above provided, there shall be levied, collected, and paid, for each of the taxable years 1919, 1920, 1921, 1922, 1923, and for each year thereafter, on that portion of the net income for any such year of every corporation, not distributed in the form of cash dividends, a tax upon the amount of such net income for such year in excess of the credits provided in section 236, and a further deduction of \$3,000 for such year at the following rates:

"Five per cent of the amount of such excess not exceeding \$20,000;

"Ten per cent of the amount of such excess not exceeding \$100,000;

"Fifteen per cent of the amount of such excess not exceeding \$200,000;

"Twenty per cent on all such excess above \$200,000:

*Provided*, That if any of such undistributed profits are taxed as above provided and the corporation shall have within two years after the payment of such tax distributed in money any of the profits upon which this tax has been paid, then the corporation shall be entitled, in its next income-tax return, to a credit upon its tax so returned to the extent and amount of the tax which it has paid under provisions of this subdivision."

Upon certificate signed by the Secretary of the Treasury, based upon affidavits of two or more reputable officers of any corporation to be attached to the record, stating that undistributed profits held or stock dividends distributed by such corporation were acted upon by the board of directors without purpose, directly or indirectly, to avoid taxation, the Secretary may remit from the tax assessment one-half of the retroactive tax herein provided for any such year included.

#### A bill to require publicity of tax records.

Strike out all of section 257 of an act to reduce and equalize taxation, to provide revenue and for other purposes, approved November 23, 1921, and insert: "That when returns of any person shall be made as provided in this title, the returns, together with any correction thereof which may have been made by the commissioner, they shall be filed in the Treasury Department and shall constitute public records and be open to inspection as such under the same rules and regulations that govern the inspection of other public records."

All tax proceedings and determinations subject to reasonable regulation shall be public, and an advance calendar of all hearings of contested tax rulings shall be open to the public.

(Copy of letter sent Secretary Mellon.)

WASHINGTON, D. C., January 3, 1924.

HON. ANDREW W. MELLON,

Secretary United States Treasury, Washington, D. C.

DEAR MR. SECRETARY: You have asked our support for your 344-page bill. You have also urged upon our committee the passage of a constitutional amendment to tax what you term "tax-free securities." Needed funds, you say, are now taken from commercial channels, and the Government is deprived of large revenues which otherwise would be received by your department. If you believe tax-free securities should be taxed, I invite your aid in advancing a measure designed to reach incomes from such securities.

Testimony heretofore offered before our committee disclosed that between \$20,000,000,000 and \$30,000,000,000 of so-called tax-free securities are now in circulation, depending in amount upon the basis of tax exemption and other conditions. If these securities are "tax free" as interpreted by your department, such construction of the income-tax amendment exempts those best able to pay, and the struggle by the people for many years through constitutional amendment to compel income-tax payments based on ability to pay has failed. That failure is emphasized by your proposal to reduce high surtaxes from 50 per cent to 25 per cent on a theory that tax evasions and investments in tax-free securities are encouraged by your construction of existing law.

With a security tax-free "well" of \$20,000,000,000 or more and so-called tax-free securities growing larger every year, the futility of any constitutional amendment in order to reach existing evils is patent. Several years may be required to persuade the States of the merits of your proposal. This will not meet the problem of increased values brought to existing tax-free holdings by passage of an amendment or reach their continued existence.

Why not face the situation squarely and seek to remedy conditions directly? Here is my proposition:

The sixteenth amendment to the Constitution provides that "the Congress shall have power to lay and collect taxes on incomes from whatever source derived."

That is the constitutional amendment subject to its emasculation in the Eisner case (252 U. S.) when by a vote of five judges to four stock dividends were excluded, even as the same court by another

five-to-four decision had previously held the income-tax principle unconstitutional. Justice Brandeis and Justice Clarke protested against the decision of their five associates and said:

"That to believe such a result (exemption of stock dividends) was intended by the people of the United States when adopting the sixteenth amendment is inconceivable."

Justices Holmes and Day also dissented from that decision.

By one vote the court emasculated the income-tax amendment and exempted over \$2,000,000,000 of stock dividends from personal income tax during the single year of 1922, largely destroying the value of the income-tax provision of the Constitution. Now trained unconstitutional lawyers further contend that the Supreme Court will hold net income from municipal bonds, State bonds, and similar securities tax free if the question comes before the court. I am informed by legal lights of our committee that such decision would probably be based on the case of *Evans v. Gore* (251-253 U. S.), decided in 1920.

In that case the court sat upon its own income taxes and by a divided opinion held that a Federal judge could not be subjected to the tax paid by practically all other citizens because his compensation can not constitutionally be diminished during continuance of office, which extends "during good behavior." Justice Holmes, one of the clearest thinkers on the bench and one of the dissenters from that opinion, said:

"The sixteenth amendment justifies the tax whatever would have been the law before it was applied. By that amendment Congress is given power to collect taxes on incomes from whatever source derived." \* \* \*

"I do not see how judges can claim an abatement of their income tax on the ground that an item in their gross income is salary when the power is given expressly to tax incomes from whatever source derived." Justice Brandeis concurs in this opinion.

I have not quoted from the majority opinion of the high court which a legal wag said began with an apology and ended with a blind trail, nor do I suggest at length that every Government official from the President of the United States down to the humblest is subject to the same law excepting life-term judges who under a specific provision exempted themselves.

In the stock dividend case, *Elsner v. Macomber*, Justices Brandeis and Clarke declared the decision of the majority of the court was an "inconceivable" interpretation of the income-tax constitutional amendment never intended by the people of the United States.

In the *Evans* case Justices Holmes and Brandeis in like manner declare the justices of the court "have placed themselves in a privileged class free from bearing their share of the cost of the institutions upon which their well-being, if not their life, depends."

By unanimous opinion the Supreme Court (*U. S. Glue v. Oak Creek*, 247 U. S. 321, a Wisconsin case) affirmed the principle that net income from interstate commerce is taxable notwithstanding constitutional interstate restrictions and overruled the *Pollock* case. To the same effect is *Peck v. Lowe* (247 U. S. 165). In the noted *Pollock* case Mr. Choate frantically called the State law worthy of a Czar of Russia, but to-day that principle is the law of the land, due to the sixteenth amendment, approved by the people and by 36 States, not, however, at first including New York or Pennsylvania. Four dissenting justices of the Supreme Court were thereby sustained by the country.

If Congress passes and the President approves a law providing the income tax sixteenth amendment means what it says, and further that such law shall not be held unconstitutional or void by the Supreme Court without the concurrence of at least all but one of the judges, a provision found in the Ohio constitution, do you believe the Supreme Court would set aside such law by a practically unanimous vote? If so, the issue would be plain.

If the *Evans* case exempting justices' salaries is authority for exempting all municipal securities, then I submit that by two divided court decisions the United States income-tax constitutional amendment and the will of the people will have gone to the scrap heap and more amendments are futile to reach the horse that is gone. My plan is again to catch the horse by requiring a nearly unanimous decision of the court on a controverted legal proposition wherein hundreds of millions of dollars annually are to be gained or lost to the Government. This follows the principle that a unanimous jury finding shall be had in determining the simplest controversy of fact in court.

I am not so imprudent as to discuss what the court may decide but assuming you are anxious to reach these incomes, however much your own personal fortunes may be affected, I will introduce a bill to-day to meet the situation and ask your active aid in securing its passage in order to save long, tedious delay through an ineffective constitutional amendment so far as relates to existing securities.

If the plain meaning of the income-tax constitutional amendment is to hold, then Treasury revenues will be annually increased several hundred million dollars; billions of dollars will be released for the needy commercial activities which you strenuously advocate, a drastic cut in normal taxes may be brought about which I have modestly urged, and other changes in the law, including a repeal of the so-called nuisance

taxes, can naturally follow. In addition the passage of a soldiers' bonus bill which you oppose will be assured without any increased tax burdens apart from those provided by the Constitution.

Very sincerely,

JAMES A. FREAR.

(Extract letter January 1, 1924. American Exchange Bank. Reduction of high surtaxes will not bring new funds to industry from tax-free securities.)

Flaws are being picked in the argument Secretary Mellon is supposed to have made in support of his tax program on the ground that since existing capital can not be affected or diminished by changes in ownership there is no basis for the contention that lower taxes on large incomes would draw funds into industry from tax-exempt investments. Nobody ever said they would, and the attempt to pretend that Secretary Mellon made such a point in his argument is, of course, insincere. Most of what Mr. Mellon had to say on the subject of the influence of taxes in the diversion of capital from productive to non-productive purposes was in the form of obiter dicta; his principal argument in support of his recommendation for a reduction in taxes on large incomes was based on the claim that high income taxes defeat their purpose and that more revenue would be realized from a lower schedule of rates. In other words, Mr. Mellon is not asking that the rich be allowed to pay less taxes but that the Government pursue a policy that will induce the rich to pay more taxes. In the matter of the influence of taxes on the character of investments, the point is that lower rates would tend to prevent the diversion of new capital (savings) from productive to nonproductive purposes.

This letter is from a financial expert of recognized standing, written personally:

— NATIONAL BANK,  
—, Wis., November 26, 1923.

Hon. JAMES FREAR,

House of Representatives, Washington, D. C.

DEAR MR. FREAR: I am very much amused by the statements in connection with the proposal to cut the surtaxes from 50 to 25 per cent, that by so doing will encourage the rich men to invest in taxable securities. I wonder if anyone really supposes that the small, rich man is not just as small when it comes to saving 25 per cent taxes as he would be in saving 50 per cent.

I do not think this would make a particle of difference in the sort of investments he makes. In fact, if he could save 1 per cent I think he would do it, and you can not encourage the drift to taxable securities in that way, and I think it is a great mistake to reduce the surtaxes, as certainly these people who are making the money are the people who should pay the taxes.

With personal regards, I am

Yours truly,

—, President.

HOW TAX PROPAGANDA IS PRODUCED.

THE UNION LEAGUE OF PHILADELPHIA,

December 26, 1923.

To the members:

A meeting of the Union League of Philadelphia was held Wednesday, December 19, 1923, for the purpose of considering an indorsement by the Union League of the tax reduction plan proposed by the Secretary of the Treasury and approved by the President of the United States.

At this largely attended meeting the following resolutions, presented by former president, Hon. C. Stuart Patterson, were unanimously adopted:

"Resolved, That the Union League of Philadelphia in special meeting assembled, believing that the proper limit of taxation is the amount of the necessary expenditures of government economically administered, and being advised that under existing laws the net proceeds of Federal taxation far exceed that limit, earnestly hope that the Congress will carry into effect by appropriate legislation that reduction of internal revenue taxation which has been recommended by the Secretary of the Treasury and approved by the President of the United States, thereby relieving productive industry of a heavy burden, giving remunerative employment to more workmen, and benefiting all the people.

"Resolved, That the president of the Union League be requested to send copies of the foregoing resolution to the President of the United States, to the Secretary of the Treasury, and to the Pennsylvania Senators and Representatives in Congress."

At this meeting the following resolution offered by Hon. William W. Porter was also unanimously approved:

"Resolved, That the secretary be, and he hereby is, directed to prepare a printed form of letter requesting affirmative action on the part of Members of the Federal House and Senate to vote for the Mellon plan. This form letter shall be kept in the office of the Union League, to the end that the members of the Union League may address and personally sign as many of these letters as possible addressed to the Members of the Congress from Pennsylvania and elsewhere with whom they may have some acquaintance. These letters may be signed in the Union League office and from there mailed under the supervision of the secretary."

In conformity with the several resolutions adopted, there is inclosed a proposed form of letter advocating the desired legislation. Form letters will be available for the use of members in the office of the secretary. It is realized that printed form letters do not have the influence upon the recipient which usually results from a direct personal letter of appeal. It is therefore suggested that while the points made in the inclosed form may be useful, the communications forwarded by the members should be put, so far as possible, in the form of personal appeals to Senators and Representatives asking them to favor the Mellon plan, which it is believed will be so beneficial to the material interests of this great Nation.

Inclosed is a list of Senators and Representatives from Pennsylvania. You are earnestly requested to address a letter (to Washington, D. C.) to each of the Senators and to your Representative in Congress, and to such others as you can effectively reach, urging action by them in favor of the Mellon plan of tax reduction.

Asking the favor of prompt and energetic action in response to the resolutions so strongly urged by the Union League, I have the honor to remain,

Yours respectfully,

JOHN W. HAMER, Secretary.

WRITE TO THESE—LIST INCLOSED.

- United States Senators from Pennsylvania:  
 GEORGE WHARTON PEPPER and DAVID A. REED.  
 United States Representatives from Pennsylvania by district:  
 1. WILLIAM S. VARE, Philadelphia.  
 2. GEORGE S. GRAHAM, Philadelphia.  
 3. HARRY S. RANSLEY, Philadelphia.  
 4. GEORGE W. EDMONDS, Philadelphia.  
 5. JAMES J. CONNOLLY, Philadelphia.  
 6. GEORGE A. WELSH, Philadelphia.  
 7. GEORGE P. DARROW, Philadelphia.  
 8. THOMAS S. BUTLER, West Chester.  
 9. HENRY W. WATSON, Langhorne.  
 10. WILLIAM W. GRIEST, Lancaster.  
 11. LAURENCE H. WATRES, Scranton.  
 12. JOHN J. CASEY, Wilkes-Barre.  
 13. GEORGE F. BRUM, Minersville.  
 14. WILLIAM M. CROLL, Reading.  
 15. LOUIS T. MCFADDEN, Canton.  
 16. EDGAR R. KIESS, Williamsport.  
 17. HERBERT W. CUMMINGS, Sunbury.  
 18. EDWARD M. BEERS, Mount Union.  
 19. FRANK C. SITES, Harrisburg.  
 20. GEORGE M. WERTZ, Johnstown.  
 21. J. BANKS KURTZ, Altoona.  
 22. SAMUEL F. GLATFELTER, York.  
 23. WILLIAM I. SWOOPÉ, Clearfield.  
 24. SAMUEL A. KENDALL, Meyersville.  
 25. HENRY W. TEMPLE, Washington.  
 26. THOMAS W. PHILLIPS, Jr., Butler.  
 27. NATHAN L. STRONG, Brookville.  
 28. HARRIS J. BIXLER, Johnstown.  
 29. MILTON W. SHREVE, Erie.  
 30. EVERETT KENT, Bangor.  
 31. ADAM M. WYANT, Greensburg.  
 32. STEPHEN G. PORTER, Pittsburgh.  
 33. M. CLYDE KELLY, Edgewood.  
 34. JOHN M. MORIN, Pittsburgh.  
 35. JAMES M. MAGEE, Pittsburgh.  
 36. GUY E. CAMPBELL, Crafton.

[This form is to be used.]

Hon.

House of Representatives (or United States Senate),  
 Washington, D. C.

DEAR SIR: The following is a copy of a resolution unanimously adopted by the Union League of Philadelphia at its special meeting of December 19, 1923, called for the purpose of expressing its sentiment upon the vital subject of tax reduction.

"Resolved, That the Union League of Philadelphia, in special meeting assembled, believing that the proper limit of taxation is the amount of the necessary expenditures of government economically administered, and being advised that under existing laws the net proceeds of Federal taxation far exceed that limit, earnestly hopes that Congress will carry into effect by appropriate legislation that reduction of internal-revenue taxation which has been recommended by the Secretary of the Treasury and approved by the President of the United States, thereby relieving productive industry of a heavy burden, giving remunerative employment to more workmen, and benefiting all the people.

"Resolved, That the president of the Union League be requested to send copies of the foregoing resolution to the President of the United States, to the Secretary of the Treasury, and to the Pennsylvania Senators and Representatives in Congress."

The undersigned is a member of the Union League of Philadelphia, earnestly desirous of seeing adoption of such legislation as will tend to the continued prosperity of this great Nation, and urgently asks that you will to the utmost use your vote, voice, and influence toward the enactment of the Mellon plan.

Asking prompt and energetic action, I am,

Yours truly,

HOW PHILADELPHIA PAPERS PROPAGANDIZE.

PUT THE SCREWS ON PENNSYLVANIA'S CONGRESSMEN.

Let it not be forgotten that the Pennsylvania delegation in Congress refused in caucus to indorse the Mellon plan for tax reduction.

Various excuses have been offered, and it may be true that in the end most of these Representatives of ours will be found squarely back of the scheme. If they are wise, they will be right there with bells on; otherwise they will find themselves facing tremendous opposition in the next congressional primaries. So it may be anticipated that the majority will vote right when the roll is called.

But Pennsylvania citizens should take nothing for granted. Let them deluge their Representatives with requests that support be given in every way, by influence and by vote, to the Mellon plan, precisely as the Secretary of the Treasury has formulated it.

No mutilation. No compromise.

ANOTHER PHILADELPHIA KIND WORD.

A PARTIAL VICTORY FOR TAX REDUCTION.

The power of public opinion is exerting its influence in Washington. The Ways and Means Committee has decided to give the tax question precedence over the bonus. A few days ago the bonus advocates in Congress were loudly proclaiming that their bill would be put through first of all. It will not be. It will have to wait.

The answer to that question should not be in doubt. Nevertheless it will be unless the people arouse themselves and flood Congress with demands for lower taxes, such as Secretary Mellon advises. For it is certain that there can be no reduction worth while if billions are to be provided for bonus payments. According to the Secretary, bonus legislation will prevent reductions on a comprehensive plan for this generation.

So get after your Member of Congress, whether Republican or Democrat. Write him a letter directed to the House of Representatives, Washington, D. C. Swamp him! And a second letter sent directly to the chairman of the Ways and Means Committee wouldn't do any harm.

A REMINDER OF 1917 AND 1918.

VETERANS URGED TO COMBINE FOR DEFEAT OF MELLON PLAN—LEGION OFFICIAL SAYS PROPOSAL FAVORS RICH, AND HE POINTS OUT ALLEGED INJUSTICES IN PAY OF SOLDIERS DURING WAR.

(By the Associated Press.)

NEW YORK, January 5.—Attacking Secretary of the Treasury Mellon's tax-reduction plan as class legislation, Edward E. Spafford, State commander of the American Legion, in an address at the National Republican Club to-day called upon ex-service men of the country to defeat the measure by concerted action at the polls. He declared they could sway 16,700,000 votes and bring about a sweeping victory for the soldiers' bonus.

"By the Mellon plan," he said, "the married man with two children and an income of \$25,000 will have his income tax reduced so that he will save 4.4 per cent of his income, the single man with \$5,000 income will get a saving of only 1.17 per cent, and the married man with two children and a \$3,000 income will get no direct saving at all, as compared with the saving of \$1,107 for the man with a \$25,000 income.

"It would require 20,547 married men with two children each and an income of \$4,000 to save the amount that one man with a \$1,000,000 income would save under the Mellon plan. In the two lowest classes, with net incomes of \$2,000 to \$3,000, which embrace 4,692,675 persons, the saving will amount to only \$17.50."

Advocating the bonus, Mr. Spafford said:

"At the beginning of the war the wage of the soldier was established at \$30 a month, but almost immediately afterwards prices became so inflated that a dollar would only buy what 50 cents would previously purchase.

"The men interested in winning the World War were so busy that they could not look out for the change in value of the contents of their pay envelopes.

"This was not the case with the contractor. He went to the proper officials at once and had his contract adjusted. The change in economic conditions was recognized in the case of civil employees. They were paid bonus of \$20 a month and are still receiving it. But the service man has never received any commensurate adjustment or compensation \* \* \*."

"We have heard much recently," he said, "of those who would do everything for the disabled. What have they done? Nothing but talk."

Asserting that the Government required the men in its service to make compulsory allotments and to pay their life-insurance premiums, Mr. Spafford said a bonus would "be just returning money taken from the meager earnings of soldiers—taken from men who were offering their lives for their country."

The SPEAKER pro tempore. The time of the gentleman has expired.

The gentleman from Pennsylvania [Mr. DARROW] is now recognized for 15 minutes.

#### FARMERS' PETITION FOR REDUCTION OF GOVERNMENT EXPENSES.

Mr. DARROW. Mr. Speaker, I have been requested to present to the House of Representatives a petition signed by 345,516 actual and real farmers in this country. I am not going to enter into any controversy with my friend from Wisconsin [Mr. FREAR] as to the purpose of the petition. I think it is most unfair to say, however, that it has any reference whatever to a propaganda or any bearing, because it has not, upon any plan for reducing taxes. Circulation of the petition was started more than 14 months ago by the Farm Journal, a national farm paper, with a circulation of over 1,200,000, by far the largest circulation of any farm journal in the world. In many cases affidavits were taken to certify to the actual signatures obtained. The petition was carried in the pages of the Farm Journal, and in many cases distributed and the signatures obtained by their field men as they went over the country. The reason I have been requested to present this petition to the House of Representatives is because the Farm Journal is published in Philadelphia, and the president of the publishing company, Mr. Charles F. Jenkins, is my personal friend and neighbor. I might perhaps say in passing that I am somewhat of a farmer myself. I was born and raised on a farm, and I know something about the troubles and trials that a farmer has to undergo as well as some of the advantages to be obtained by living on a farm. We want to cooperate with the people from the great agricultural areas, because the road to success is equally hard to those from the cities as to those from the farming areas, and in the last analysis we must seek the source of national wealth and contentment by bringing prosperity to all parts of the country.

These names have been voluntarily obtained after a thorough explanation of the purposes. The petition itself simply asks for a reduction in the expenditures of the Government—a cut in Government costs for the purpose, of course, of reducing taxes and the heavy burden that is placed upon all classes of people by war taxes. Some one has asked me where these names come from. They came chiefly from the great Middle West. Speaking in round numbers, from Indiana there are 30,000 names, from Iowa 29,000, from Kansas 22,000, from Kentucky 14,000, from Michigan 17,000, from Minnesota 20,000, from Missouri 11,000, from Nebraska 16,000, from Ohio 68,000, from Pennsylvania 23,000. Sometimes my friends here forget that Pennsylvania is one of the great agricultural States of this Union. All of the other States of the Union are represented with one exception, and that is Nevada. The total of the other States is 61,528.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. DARROW. Yes.

Mr. BLANTON. The gentleman is a distinguished member of the steering committee of the dominant party of this House. I take it that this box car of petitions is a protest against present conditions?

Mr. DARROW. It is asking for a cut in governmental expenditures.

Mr. BLANTON. And is a protest against present conditions. The farmers want the present conditions changed; they want taxes reduced; they want extravagance of government stopped, and they have grounds for all of that.

Mr. DARROW. This petition was started before—

Mr. BLANTON. I take it that it is an indictment against the present management of the Government's business.

Mr. DARROW. If the gentleman will permit me, I will try to answer him. This petition was started many months ago. At that time there had not been accumulated the surplus in the Treasury, brought about by the present administration, that exists to-day. [Applause on the Republican side.]

Mr. BLANTON. Well, I think the farmers sent that protest to the proper Member of the House.

Mr. KING. I want to say that this petition is to Mr. BLANTON as well as to every other Member of the House.

Mr. BLANTON. But they sent their protest to the proper party.

Mr. LINTHICUM. The gentleman omitted to read the petition. Will he kindly do so?

Mr. DARROW. I will be very much pleased to read it, although the gentleman will not expect me to read all of the names.

Mr. HOWARD of Nebraska. I would like to have the names of those from Nebraska.

Mr. DARROW. The petition reads as follows:

We the undersigned, who are directly interested in farming and the welfare of the people, do hereby respectfully petition or request Congress through the Farm Journal to pass legislation which will cut the cost of running the Government by reducing all nonessential expenses, eliminating all unnecessary employees, and voting against all increases in salaries.

In the remainder of my time, Mr. Speaker, I ask to have read from the desk, if I may, a letter from Mr. Jenkins, which will probably more clearly express the purpose of this petition than anything that I could say.

Mr. BLANTON. Mr. Speaker, reserving the right to object to the reading of the letter, though I shall not object, I will ask the gentleman from Pennsylvania whether the steering committee is going to carry out the requests made by these farmers in this petition. I am going to help them do it as one Member of Congress, and I will say that I hope that the steering committee is going to do that.

Mr. DARROW. Oh, if the gentleman from Texas will help, I have no doubt that anything which is desirable can be carried out.

Mr. LINTHICUM. There is no mention in the petition of tax reduction at all.

Mr. DARROW. But what is the object in reducing the expenses of government except to relieve the burden of taxation? That phase of it was featured all through the campaign when the petition was being signed. Everyone understood the purpose was to reduce taxes by reducing expenditures in government. No other reason could be assigned for seeking economy in Government expenses if not for relief of that kind.

Mr. LINTHICUM. I thought that following the splendid speech of the gentleman from Wisconsin [Mr. FREAR] perhaps this was in line of a reduction in taxation.

Mr. DARROW. As I tried to set forth a moment ago, this petition was started before any plan for reducing taxes was promulgated by anyone.

Mr. JEFFERS. Mr. Speaker, will the gentleman yield?

Mr. DARROW. I first want to have the letter read, and then if I have any time I shall be glad to answer any questions.

The SPEAKER pro tempore. If there is no objection, the Clerk will read the letter.

There was no objection, and the Clerk read as follows:

THE FARM JOURNAL,  
Philadelphia, January 3, 1924.

HON. GEORGE P. DARROW,  
Washington, D. C.

DEAR MR. DARROW: As one of your constituents I appreciate your willingness to present to the House of Representatives the petition which we have circulated among farmers asking that this Congress enact legislation which will cut the cost of running the Government, reduce all nonessential expenses, eliminate all unnecessary employees, and vote against all increases in salaries, so that there will be possible a substantial reduction from the heavy burden of Federal taxes.

I would be glad if you would point out to Congress that every signer on the petition is a farmer or one directly interested in agriculture. There are attached to this petition 345,516 names, and if the sheets were unrolled they would measure over 2½ miles in length.

This great army of producers, representing nearly every State in the Union, but mainly the great mid-West agricultural States, are convinced that taxes are too high. Fourteen months ago, at a time when there was no Treasury surplus in sight and when it seemed possible that taxes might even have to be increased, we sensed the urgency of the demand among our readers and undertook the circulation of this petition demanding the strictest economy in the Government. As time went on and the surplus of revenues began to appear we have felt unmistakably the growth of this powerful demand for the lightening of the tax burden.

As you no doubt know, the farm pays its share and sometimes more than its share of all and every kind of taxes, and has to do it in many cases out of little or no margin of profit. There is no class on

whom taxes weigh so heavily. Farmers, like many others, failed to foresee what the war would do to them in the way of an enormous national debt and sky-high taxes, but they see it plainly enough now and are asking Congress for relief.

Thus this crystallized sentiment among rural people indicates that there is urgent necessity of reducing, or at least not increasing, the burden of taxes. Something can be done toward cutting governmental expenses through cooperation among departments and more intelligent buying; but overloaded payrolls are largely responsible for a considerable proportion of excessive governmental cost. Therefore, by withholding increases in salaries of Government employees, getting rid of surplus employees, and standing in firm opposition to all extensions of personnel, important economies could be effected. The Budget system has proved its worth, but much remains to be done.

Furthermore, the time has come to stop the gradual and steady intrusion of the Government into private business. It is largely this expansion in new functions which has so enormously increased the cost of Government. *It is not worth what it costs*; and while farmers have benefited somewhat by these activities, it has gone far enough. Governmental costs should be held down by refusing to establish any new bureaus or commissions, unless strictly self-supporting.

It has been said that the country is back to the level of taxes reached in 1919. This may be so, but the taxes in 1919 were twice as high as before the war.

We have found everywhere through the country a demand for tax relief, and had we time we could easily have obtained a million or more signatures to the petition, but the situation is acute, and we have felt that 345,000 signatures would be sufficient to demonstrate that the demand of farmers for strict governmental economies to permit reduction of tax burdens is a real and urgent one.

I hope that when you present this petition to the House of Representatives it will duly impress that body with the necessity of early and favorable action.

Very truly yours,

CHARLES F. JENKINS,  
President, Wilmer Atkinson Co.,  
Publishers State Farm Journal.

Mr. JEFFERS and Mr. HOWARD of Nebraska rose.

Mr. JEFFERS. Will the gentleman yield for a question?

The SPEAKER pro tempore. For what purpose does the gentleman from Nebraska rise?

Mr. HOWARD of Nebraska. Well, I did not know, being new, whether I had the right to interrupt the reading clerk or not.

The SPEAKER pro tempore. The gentleman is entirely within his rights to address the Chair.

Mr. HOWARD of Nebraska. I was just thinking—

The SPEAKER pro tempore. For what purpose does the gentleman rise?

Mr. HOWARD of Nebraska. I have to think a little before I can state it. [Laughter.]

The SPEAKER pro tempore. The gentleman from Pennsylvania has the floor.

Mr. DARROW. Mr. Speaker, in the time allotted to me I would ask the Chair to have this petition referred to the proper committee for consideration.

Mr. LINTHICUM. Will the gentleman yield?

The SPEAKER pro tempore. The petition will be referred to the proper committee.

Mr. GARRETT of Tennessee. One moment. Did the Speaker announce to what committees it would be referred?

The SPEAKER pro tempore. The Speaker did not; the Speaker announced it would be referred to the proper committee.

Mr. GARRETT of Tennessee. Committee or committees?

The SPEAKER pro tempore. Committee.

Mr. BLANTON. Mr. Speaker, I think this farmers' protest is in the hands of the proper steering committee now.

The SPEAKER pro tempore. The gentleman is out of order.

Mr. JEFFERS. I understand the gentleman to say clearly that he does not put this up as an indorsement of the Mellon tax plan?

Mr. DARROW. It has no reference whatever to an indorsement of any plan.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. JEFFERS. It is just a protest against extravagance.

Mr. LINTHICUM. I ask that the gentleman have two additional minutes.

The SPEAKER pro tempore. The gentleman from Maryland asks unanimous consent that the gentleman from Pennsylvania have two additional minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. LINTHICUM. I merely wanted to ask the gentleman how the gentleman feels about those 28 men at \$10,000 a year

suggested in the Mellon bill in view of the 350,000 signatures which he has presented to the House?

Mr. DARROW. I am for the Mellon plan in all of its phases and particulars.

Mr. BLANTON. The farmers' petition to the contrary notwithstanding?

Mr. KING. If the gentleman will permit—he has some time—I was wondering if there was any way by which we can send this protest to Harrisburg for consideration there?

Mr. DARROW. I think this is the proper place.

#### EXTENSION OF REMARKS.

Mr. DICKINSON of Iowa. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER pro tempore. The gentleman from Iowa asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. RANKIN. Mr. Speaker, reserving the right to object, on what subject?

Mr. DICKINSON of Iowa. I was about to state. I ask unanimous consent to extend my remarks in the RECORD by printing an analysis on Muscle Shoals and a discussion of the various bills now pending before the Committee on Military Affairs.

Mr. RANKIN. Is it the gentleman's own analysis?

Mr. DICKINSON of Iowa. Yes, sir.

Mr. RANKIN. The gentleman's own remarks?

Mr. DICKINSON of Iowa. Not all; there are some appendices or analyses prepared outside of my office, but it is under my supervision.

Mr. RANKIN. Does that part of the remarks written by somebody else constitute a majority of the remarks?

Mr. DICKINSON of Iowa. No, sir.

Mr. RANKIN. I have no objection.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

Mr. DICKINSON of Iowa. Mr. Speaker, under the leave to extend my remarks in the RECORD I include the following:

NOVEMBER 30, 1923.

#### MEMORANDUM CONCERNING PROPOSED AMENDED FORD OFFER FOR MUSCLE SHOALS.

The draft attached shows both the original offer and the proposed amendments. Written in the center of the page are the paragraphs which have been left unchanged. At the left are the paragraphs of the original offer, with underscoring showing proposed elimination of words or paragraph, and on the right the suggested substitutes showing underscored additional language. The following comments are made with respect to the various paragraphs amended and the reasons therefor.

Paragraph 2 of the offer is amended by providing for the completion of Dam No. 2 by the United States, it being assumed that the work has progressed to such a point that it would be desirable that the present organization of the War Department carry the work to completion.

Paragraph 3 has been changed so that the period of the lease is 50 years instead of 100 years; so that the annual charge payable for the use of the Government property shall include interest, maintenance, and depreciation, and shall be computed on the Government investment exclusive of locks and navigation facilities; making a change in the schedule of payments for the first six years, and providing that, to the extent the power generated is actually used for the production of fertilizers, the annual charge shall be cut in half. The existing Ford offer proposes to pay 4 per cent interest on the investment made by the Government subsequent to the approval of the Ford offer by Congress. The amount invested at the time the offer was made was approximately \$16,000,000. It is understood that the amount spent to date is \$25,000,000 to \$26,000,000, leaving from \$15,000,000 to \$18,000,000 yet to be expended. To charge interest only and to compute it only on the basis of the amount yet to be expended, which is considerably less than half the cost of the properties, would not be a reasonable recompense for the use of the properties, unless with the view of subsidizing fertilizer production. It is suggested, therefore, that the general rate be fixed at 6 per cent, with a reduction of that rate to 3 per cent to the extent that power generated is actually used in fertilizer production. If all the power available at Dam No. 2 is used for this purpose a 3 per cent rate on the total investment (except locks and navigation facilities) will be approximately equal to the 4 per cent of the Ford offer applied to the amount expended or to be expended since the date the offer was made. The suggested variation in rate is made, of course, in order to encourage the use of power for fertilizer production, and with the intent that power not used for that purpose shall be treated in the same manner as would be done were a license therefor issued under the Federal water power act.

Paragraph 4 has been amended to eliminate the proposed annual payment of \$35,000 to reimburse costs of operation of the dam and gates.

This is done because the percentages of paragraph 3 are intended to cover maintenance of the dam and the cost of its operation by the United States.

The provisions of the offer with respect to the construction of Dam No. 3 have been eliminated. Dam No. 2, if operated in conjunction with the steam plant at Sheffield, will produce approximately three times the amount of electric energy necessary to operate nitrate plant No. 2. This seems to leave adequate margin for the extension of nitrate operations, and any commitment of the United States to complete at its own expense Dam No. 3 for the purpose of power production at the present time does not appear justified. As a substitute for paragraph 6, it is proposed that the United States shall reserve for a period of three years from the date of acceptance of the offer the site at Dam No. 3, during which time the company would have a preference right to apply for it under the Federal water power act if the power which can be produced at Dam No. 2 proves insufficient for its needs.

If paragraph 6 is altered as suggested, there is no occasion for the inclusion of paragraphs 7, 8, 9, and 10 of the original Ford offer, and they have therefore been eliminated.

By paragraph 11 of the Ford offer it was proposed that the company should purchase from the United States the nitrate properties at Muscle Shoals and the steam power plant at Gorgas and its transmission line for the sum of \$5,000,000. One of the chief reasons for considering the offer of Mr. Ford has been the desirability of maintaining nitrate plant No. 2 in a condition of readiness for the production of nitrates in case of war. Under such circumstances there seems no justification in passing the title to these properties. For the purposes of fertilizer production the plants can be used as well under lease as under ownership. It is proposed, therefore, that instead of sale of the properties, the United States shall lease the properties for the same period as Dam No. 2, that is, 50 years, for a nominal annual rental of \$1 per annum. This change would relieve the Ford company of the payment of the \$5,000,000 as originally proposed. In order to protect any investment which the company may make in original plant or in improvements, provision is made in paragraph 14 of the suggested amendments for reimbursement of such expenditures in the manner provided in the Federal water power act, in the event the lease is not renewed on termination. No changes are made in subparagraphs (a), (b), and (c) of paragraph 11, but subparagraph (d) is omitted because the properties covered thereby are no longer under the disposition of the United States.

If paragraph 11 is changed as suggested, there is no occasion for paragraphs 12, 13, and 14 of the Ford offer, and they are therefore eliminated.

In paragraph 15 the words "adjacent or near thereto" have been eliminated, in order that no restrictions may be placed upon the location of plants for the production of fertilizers if it should be found desirable to locate them elsewhere than in the vicinity of Muscle Shoals. No changes have been made in subparagraphs (a) and (b) of this paragraph.

It is not apparent what is meant by the expression "annual cost" in the first sentence of paragraph 16 of the Ford offer. It is assumed, however, that it has the meaning given it by the change in language used in the corresponding paragraph of the amendment. There has been added also the language underscored, in order to make certain, which is not now the case, that cost items shall be limited to actual expenditures, except for depreciation and amortization charges on account of properties constructed by the company or of additions to or betterments of the Government properties, as may be approved by the board to be created under the provisions of this section. No changes have been made in that portion of the section providing for the creation of the board.

Three new paragraphs have been added—Nos. 10, 11, and 12. The first requires the company to operate the power properties to their full capacity and to dispose of all surplus energy not used by it in the manufacture of fertilizers, or to contract for such disposal; provides that the transmission, distribution, and sale of such power shall be subject to regulation by public authority, as provided in the Federal water power act; and requires the company to establish and maintain a system of accounts.

Paragraph 11 authorizes the Federal Power Commission to determine certain questions of fact upon which the annual charges would be based, to determine whether the power project is fully operated, and to supervise the maintenance and renewal of power house and equipment.

Paragraph 12 writes into the amended offer the provisions of the Federal water power act with respect to recompense for headwater improvements. The War Department is now engaged in a detailed survey of the Tennessee River. There are available reservoir sites on the upper river which when built will very materially increase the amount of power available at Dam No. 2. There seems no good reason why the company, if it secures a lease of the properties, should not assume its share of the annual cost of headwater improvements, just the same as any licensee under the Federal water power act.

Paragraph 17 remains unchanged. Paragraph 18 is revised into new paragraph 14, the principal changes in which are to provide that the company shall have a preference right for renewal of lease at the end of 50 years; that if there is not agreement between the company and the United States at that time, the conditions of the existing offer are to remain in effect until the United States shall find a new lessee under conditions no less favorable than those offered to the company. It also provides that if the properties are leased to another, the company shall be compensated for the fair value, not to exceed actual cost of any properties constructed by itself or for any betterments or additions to existing Government property.

Paragraph 19 has been changed to eliminate Dam No. 3 and to provide in conformity with the remainder of the amended offer that, if legal action is required under the terms of the offer, it shall be initiated by the Federal Power Commission.

The only change in paragraph 20 is to eliminate the word "deeds," which is not applicable if the property is leased.

The proposed amendment would frankly subsidize fertilizer production by eliminating the proposed cash payment of \$5,000,000 and the annual payments for maintenance and sinking fund, by reducing the rate of interest to 3 per cent, by making no charge for the use of the Government nitrate properties, and by protecting any investment the company may itself make. If the company really desires to produce nitrates, the amendment is more favorable than its own offer. If and to the extent that the company might produce power for general sale, or for use in other forms of manufacturing, there would be no justification whatever for granting it a subsidy, and the amendment accordingly provides that under such circumstances it shall be treated in the same manner as would any other company which might wish to secure the power at Dam No. 2.

#### PARALLEL COMPARISON OF ORIGINAL OFFER AND PROPOSED AMENDMENT.

Whenever changes are made the paragraphs of the Ford offer are shown at left and of the proposed amended offer at right. Words in italic in Ford offer are proposed to be omitted, words in italic in amended offer are proposed to be added:

Whereas the United States, through the Chief of Engineers, United States Army, invited the undersigned to submit an offer for the power to be developed at the Muscle Shoals Wilson Dam (hereinafter referred to as Dam No. 2); and

Whereas the undersigned did, under date of July 8, 1921, submit to the Chief of Engineers an offer for the consideration of the President, the Secretary of War, and Congress, which offer proposed a lease based upon the completion of Dam No. 2 and the construction of Dam No. 3 (as designated by the United States engineers in H. R. Doc. 1262, Sixty-fourth Congress, first session, and hereinafter referred to as Dam No. 3), and of their power houses by the United States, and the payment by the undersigned of a fixed annual rental therefor, and proposed to purchase nitrate plant No. 1, at Sheffield, Ala., nitrate plant No. 2, at Muscle Shoals, Ala., Waco quarry, near Russellville, Ala., and the Warrior steam plant, at Gorgas, Ala., and all transmission lines connected with said plants; and

Whereas the undersigned, at the invitation of the Secretary of War, did, on January 11, 1922, submit a modification of his former proposal, based upon the construction and completion by a company to be formed by him, of all the work referred to in the offer of July 8, 1921, aforesaid, the actual cost of said work to be borne by the United States, and agreed on behalf of said company to pay 4 per cent of the total actual cost of completing said plants, structures, works, and improvements as annual rental for the lease thereof:

Now, therefore, in lieu of said offer of July 8, 1921, and in accordance with said modification of January 11, 1922, and modifications of January 25, 1922, the undersigned hereby submits to the Secretary of War, and through him for appropriate action by the President and Congress, the following offer, which shall become a binding agreement upon approval of same by Congress:

1. For the purpose of carrying out the terms of this agreement, the undersigned will form a corporation (hereinafter referred to as the company), with a capital stock of \$10,000,000, or more, of which at least \$10,000,000 shall be paid in, in cash, to be controlled by the undersigned, which company will immediately enter into and execute all necessary or appropriate instruments of contract to effectuate this agreement.

2. The company shall complete for the United States, subject to the approval of the Chief of Engineers, U. S. Army, Dam No. 2, its locks, power house, and all necessary equipment, all in accordance with the plans and specifications prepared, or to be prepared or approved by the Chief of Engineers, U. S. Army, and progressively install the hydroelectric equipment in said power house adequate for generating approximately six hun-

2. The United States shall complete Dam No. 2, its locks, power house, and all necessary equipment, shall progressively install the hydroelectric equipment in said power house up to a capacity of approximately six hundred thousand (600,000) horsepower, and shall acquire all necessary lands and flowage rights, including lands for railway and terminal connections.

dred thousand (600,000) H. P., all the work aforesaid to be performed as speedily as possible at actual cost and without profit to the company. It is understood that the necessary lands and flowage rights, including lands for railway and terminal connections, have been or will be acquired by the United States.

3. The company will lease from the United States Dam No. 2, its power house, and all of its hydroelectric and operating appurtenances, except the locks, together with all lands and buildings owned or to be acquired by the United States connected with or adjacent to either end of the said dam, for a period of one hundred (100) years from the date when structures and equipment of a capacity of one hundred thousand (100,000) horsepower are constructed and installed and ready for service and will pay to the United States as annual rental therefor four per cent (4%) of the actual cost of acquiring lands and flowage rights, and of completing the locks, dam, and power-house facilities (but not including expenditures and obligations incurred prior to approval of this proposal by Congress), payable annually at the end of each lease year, except that during and for the first six (6) years of the lease period the rentals shall be in the following amounts and payable at the following times, to wit: Two hundred thousand dollars (\$200,000) one (1) year from the date when one hundred thousand (100,000) horsepower is installed and ready for service, and thereafter two hundred thousand dollars (\$200,000) annually at the end of each year for five (5) years.

4. The company will further pay to the United States during the period of the lease of Dam No. 2 thirty-five thousand dollars (\$35,000) annually, in installments quarterly in advance, for repairs, maintenance, and operation of Dam No. 2, its gates and locks; it being understood that all necessary repairs, maintenance, and operation thereof shall be under the direc-

3. The company will lease from the United States Dam No. 2, its power house, and all of its hydroelectric and operating appurtenances, except the locks and other navigation facilities, together with all lands and buildings owned or to be acquired by the United States and connected with or adjacent to either end of the said dam and used or useful for purposes of power development, for a period of fifty (50) years from the date when structures and equipment, of a capacity of one hundred thousand (100,000) horsepower, are constructed and installed and ready for service; and will pay to the United States as reasonable annual recompense for the use thereof, to cover interest, maintenance, and depreciation thereon, six per cent (6%) of the actual cost of acquiring lands and flowage rights and of constructing the dam, power house, and power-house facilities (but not including the cost of locks or other navigation facilities), such payment to be made annually at the end of each calendar year of the lease period; except that during and for the first six (6) years of the lease period payments shall be in the following amounts and payable at the following times, to wit: Two hundred thousand dollars (\$200,000) at the end of the calendar year during which the installation of one hundred thousand (100,000) horsepower is completed and made ready for service, and thereafter five hundred thousand dollars (\$500,000) annually at the end of each calendar year for five (5) years: Provided, That in the proportion that the electric energy capable of being produced in any calendar year in said power house when operated in conjunction with the steam-power plants forming a part of the properties named in paragraph 7 hereof is used by the company in manufacture of nitrogen and other commercial fertilizers, mixed or unmixed, the annual recompense payable on the same proportion of said cost of acquiring lands and flowage rights and of constructing said dam, power house, and power-house facilities shall be three per cent (3%).

4. The company, at its own expense, will make all necessary renewals and repairs incident to efficient maintenance of the power house, substructures, superstructures, machinery, and appliances appurtenant to said power house, and will maintain the same in efficient operating condition; it being understood that all necessary repairs, maintenance, and opera-

tion, care, and responsibility of the United States during the said one hundred (100) year lease period; and the company, at its own expense, will make all necessary renewals and repairs incident to efficient maintenance of the power house, substructures, superstructures, machinery, and appliances appurtenant to said power house, and will maintain the same in efficient operating condition.

5. At all times during the period of the lease of Dam No. 2 the company will furnish to the United States, free of charge, to be delivered at any point on the lock grounds designated by the Chief of Engineers, U. S. Army, electric power to an amount necessary for the operation of the locks, but not in excess of two hundred (200) horsepower.

6. As soon as the release of suitable construction equipment and labor forces at Dam No. 2 will permit, or at an earlier date if desired by the company, the company shall construct and complete, subject to the approval of the Chief of Engineers, U. S. Army, for the United States Dam No. 3, its lock, power house, and all necessary equipment, all in accordance with plans and specifications prepared and to be prepared by the Chief of Engineers, U. S. Army, or by the company, at its option, and approved by the Chief of Engineers, U. S. Army, and progressively install the hydroelectric equipment in said power house adequate for generating approximately two hundred fifty thousand (250,000) horsepower, all the work aforesaid to be performed as speedily as possible at actual cost and without profit to the company, it being understood that the necessary lands, flowage rights, and rights of way shall be acquired by the United States through an agent to be named by the company.

7. The company will lease from the United States Dam No. 3, its power house, and all of its hydroelectric and operating appurtenances except the lock, together with all lands and buildings owned or to be acquired by the United States connected with or adjacent to either end of the said dam, for a period equal to the lease term of Dam No. 2 and its hydroelectric power equipment thereat as stated in paragraph 3 hereof, in order that said respective lease terms of the two dams and the hydroelectric equipment thereat shall expire at the same time, the said period to begin from the date when structures and equipment of a capacity of eighty thousand (80,000) horsepower are constructed and installed and ready for service, and will pay to the United States as annual rental therefor four per cent (4%) of the actual cost of acquiring lands and flowage rights and of constructing the lock, dam, and power-house facilities, payable annually at the end of each lease year, except that during and for the first three (3) years of the lease period the rentals shall be in the following amounts and payable at the following times, to wit: One hundred sixty thousand dollars (\$160,000) one (1) year from

tion of Dam No. 2, its gates and locks, shall be under the direction, care, and responsibility of the United States, and at its expense, during the said fifty (50) years lease period.

6. The United States shall reserve for a period of three (3) years from the date of acceptance of this offer the power site at the proposed location of Dam No. 3, during which period the company shall have the preference for a license for said site, upon application therefor, under the provisions of the Federal water power act.

the date when eighty thousand (80,000) horsepower is installed and ready for service, and thereafter one hundred sixty thousand dollars (\$160,000) annually at the end of each year for two (2) years. Dams No. 2 and No. 3 shall be included in one lease.

8. The company will further pay to the United States during the period of the lease of Dam No. 3 twenty thousand dollars (\$20,000) annually, in installments, quarterly in advance, for repairs, maintenance, and operation of Dam No. 3, its gates and lock; it being understood that all necessary repairs, maintenance, and operation thereof shall be under the direction, care, and responsibility of the United States during the said one hundred (100) year period; and the company, at its own expense, will make all necessary renewals and repairs incident to the efficient maintenance of the power house, substructures, superstructures, machinery, and appliances appurtenant to said power house, and will maintain the same in efficient operating condition.

9. At all times during the period of the lease of Dam No. 3 the company will furnish to the United States, free of charge, to be delivered at any point on the lock grounds designated by the Chief of Engineers, U. S. Army, electric power necessary for the operation of the said lock, but not in excess of one hundred (100) horsepower.

10. For the purpose of enabling the Government to create and provide a sinking fund to retire the cost of Dam No. 3 at the end of the lease period, the company will, at the beginning of the fourth (4th) year of the lease period, and semiannually thereafter for the remaining term of the lease, pay to the United States Government the sum of three thousand five hundred and five dollars (\$3,505); and for the purpose of enabling the Government to create and provide a sinking fund to retire the cost of Dam No. 2 at the end of one hundred (100) years, the company will, at the beginning of the seventh (7th) year of the lease period, and semiannually thereafter for the remaining term of the lease, pay to the United States Government the sum of nineteen thousand eight hundred and sixty-eight dollars (\$19,868).

11. The company agrees to purchase from the United States and the United States will sell the following properties, namely:

(a) All of the property constituting nitrate plant No. 2 (as officially known and designated), including lands, power plants, buildings, material, machinery, fixtures, equipment, apparatus, appurtenances, tools, and supplies, and the right, license, and privilege to use any and all of the patents, processes, methods, and designs which have been acquired and may be transferred or assigned to a purchaser of nitrate plant No. 2 by the United States, together with the sulphuric-acid units now in storage on the premises.

(b) All of the property constituting nitrate plant No. 1 (as officially known and designated), including lands, power plants, buildings, material, machinery, fixtures, equipment, apparatus, appurtenances, tools, and supplies, and the right, license, and privilege to use any and all of the patents, processes, methods, and designs which have been ac-

quired and may be transferred to a purchaser of nitrate plant No. 1 by the United States, but the company shall not be obligated to operate nitrate plant No. 1 as an air nitrogen-fixation plant.

(c) All of the property constituting the Waco Quarry (as officially known and designated), including rights of way and buildings, material, quarry tracks, machinery, railroad tracks, appurtenances, tools, and supplies.

(d) All of the property constituting the steam power plant, built and now owned by the Government at Gorgas, Alabama, on the Warrior River, including lands, rights of way, buildings, machinery, material, fixtures, apparatus, appurtenances, tools, and supplies, and the transmission line from the Gorgas steam plant to Nitrate Plant No. 2, at Muscle Shoals, and all other transmission lines belonging to the United States and connected with any of the aforesaid Government properties.

12. The company agrees to accept and the United States agrees to assign and transfer to the company all rights, title, interest, powers, and benefit belonging to or that may accrue to the United States or its legal agents as a party to its contract, dated December 1, 1917, with the Alabama Power Company, in connection with said Gorgas plant and transmission line, and the company will assume all obligations and liabilities lawfully imposed upon the United States by said contract; but nothing in this paragraph shall be held to affect any question of the validity of any provision of said contract.

13. As the purchase price for the foregoing plants and properties to be conveyed to the company by the United States, the company will pay to the United States five million dollars (\$5,000,000) in five installments, as follows: One million dollars (\$1,000,000) upon the acceptance of this offer and one million dollars (\$1,000,000) annually thereafter until the purchase price is fully paid, with interest at the rate of five per cent (5%) per annum on deferred payments, with the privilege of anticipating any or all such payments, possession to be delivered upon payment of the first of said installments, and deeds of conveyance to be delivered when full payment for said property has been made. Each of said deeds shall refer to or contain the provisions of this offer and said deeds shall be so drawn as to make such provisions covenants running with the land.

14. This proposal contemplates and it is agreed that the purchase price for the property aforesaid shall not be diminished by reason of depreciation due to use or wear of buildings, machinery, and equipment, or to the action of the elements, nor shall any claim be made for losses in or diminution of quantity of tools and supplies due to upkeep and maintenance during the period between the date hereof and the date of delivery of possession of said property; it being further understood that no inventory of the property need be taken, but that due care will be exercised by the United States in

preserving and safeguarding the aforesaid real and personal property intact until possession thereof passes to the company. If any part or parts of the aforesaid plants necessary for proper operation of same have been removed by the United States, said part or parts shall be returned when possession of said plants passes to the company. Deeds of conveyance of real property shall warrant the title to be good and unencumbered, but in accordance with and subject to the provisions set forth in paragraph 13 hereof.

15. Since the manufacture, sale, and distribution of commercial fertilizers to farmers and other users thereof constitutes one of the principal considerations of this offer, the company expressly agrees that, continuously throughout the lease period, except as it may be prevented by reconstruction of the plant itself, or by war, strikes, accidents, fires, or other causes beyond its control, it will manufacture nitrogen and other commercial fertilizers, mixed or unmixed, and with or without filler, according to demand, at nitrate plant No. 2 or its equivalent, or at such other plant or plants adjacent or near thereto as it may construct, using the most economical source of power available. The annual production of these fertilizers shall have a nitrogen content of at least forty thousand (40,000) tons of fixed nitrogen, which is the present annual capacity of nitrate plant No. 2. If during the lease period said nitrate plant No. 2 is destroyed or damaged from any cause, the company agrees to restore such plant within a reasonable time to its former capacity, and further agrees:

(a) To determine by research whether by means of electric-furnace methods and industrial chemistry there may be produced on a commercial scale fertilizer compounds of higher grade and at lower prices than farmers and other users of commercial fertilizers have in the past been able to obtain, and to determine whether in a broad way the application of electricity and industrial chemistry may accomplish for the agricultural industry of the country what they have economically accomplished for other industries, and if so found and determined, to reasonably employ such improved methods.

(b) To maintain nitrate plant No. 2 in its present state of readiness or its equivalent for immediate operation in the manufacture of materials necessary in time of war for the production of explosives.

16. In order that farmers and other users of fertilizers may be supplied with fertilizers at fair prices and without excessive profits, the company agrees that the maximum net profit which it shall make in the manufacture and sale of fertilizer products shall not exceed eight per cent (8%) of the fair actual annual cost of production thereof.

8. Since the manufacture, sale, and distribution of commercial fertilizers to farmers and other users thereof constitutes the principal consideration of this offer, the company expressly agrees that, continuously throughout the lease period, except as it may be prevented by reconstruction of the plant itself, or by war, strikes, accidents, fires, or other such causes beyond its control, it will manufacture nitrogen and other commercial fertilizers, mixed or unmixed, and with or without filler, according to demand, at nitrate plant No. 2 or its equivalent, or at such other plant or plants as it may construct, using the most economical source of power available. The annual production of these fertilizers shall have a nitrogen content of at least forty thousand (40,000) tons of fixed nitrogen, which is the present annual capacity of nitrate plant No. 2. If during the lease period said nitrate plant No. 2 is destroyed or damaged from any cause, the company agrees to restore such plant within a reasonable time to its former capacity, and further agrees:

9. In order that farmers and other users of fertilizers may be supplied with fertilizers at fair prices and without excessive profits, the company agrees that the maximum net profit which it shall make for any year in the manufacture and sale of fertilizer products shall not exceed eight per cent (8%) of the fair actual cost of production thereof during such year, and that in determining such cost no items shall be included which do not represent expenditures actually made by the company, except such credits to depreciation or amortization reserves on account of properties used or useful in the manufacture of nitrogen or other commercial fertilizers as may be approved by the board hereinafter provided.

In order that this provision may be carried out the company agrees to the creation of a board of not more than nine (9) voting mem-

bers, chosen as follows: The three (3) leading representative farm organizations national in fact, namely, the American Farm Bureau Federation, the National Grange, the Farmers' Educational and Cooperative Union of America, or their successor or successors (said successor or successors to be determined, in case of controversy, by the Secretary of Agriculture) shall each designate not more than seven (7) candidates for said board in the first instance and thereafter, for succession in office, not more than three (3) candidates. The President shall nominate for membership on this board not more than seven (7) of these candidates, selected to give representation to each of the above-mentioned organizations, said nominations to be made subject to confirmation by the Senate, and there shall be two voting members of said board selected by the company: *Provided*, That not more than one shall be nominated by the President from the same State; that if the Senate shall not confirm all of said seven nominees the President shall send additional names from the said list of candidates until the Senate shall have confirmed seven: *Provided further*, That if either or any of said farm organizations or its or their successors by reason of the expiration of its or their charter or ceasing to function or failing to maintain its organization or for any cause or reason should decline, fail, or neglect to make such designations, then the Secretary of Agriculture shall make such designation or designations for such or all of said organizations as may so decline, fail, or neglect to make such designation; and if such designation is made by the Secretary of Agriculture for only one or two of said organizations, then such designation shall be made so as to give the remaining organization or organizations the same right and in the same proportion to designate candidates for said board as in the first instance and just as though all of said organizations were making such designations: *Provided, however*, That a failure to make designations at any one time shall not thereafter deprive any organization of its original rights under this section: *And provided further*, That the terms of office of the first seven candidates nominated by the President and confirmed by the Senate on the designation of said farm organizations shall be as follows: Two for a period of two years, two for a period of four years, and the remaining three for a period of six years, and thereafter the nominations for membership on said board made by the President, except for unexpired terms, shall be for six years each. None of the members of said board shall draw compensation from the Government, except that any which may be nominated and confirmed on the designation of the Secretary of Agriculture under the provisions hereof shall receive from the Government their actual expenses while engaged in work on said board. A representative of the Bureau of Markets, Department of Agriculture, or its legal successor, to be appointed by the President, shall also be a member of the board, serving in an advisory capacity without the right to vote. The said board shall determine what has been the cost of manufacture and sale of fertilizer products and the price which has been charged therefor, and if necessary for the purpose of limiting the annual profit to 8 per cent as aforesaid, shall regulate the price at which said fertilizer may be sold by the company. For these purposes said board shall have access to the books and records of the company at any reasonable time. In order that such fertilizer products may be fairly distributed and economically purchased by farmers and other users thereof the said board shall determine the equitable territorial distribution of the same and may, in its discretion, make reasonable regulation for the sale of all or a portion of such products by the company to farmers, their agencies or organizations. If and when said board can not agree upon its findings and determinations, then the points of disagreement shall be referred to the Federal Trade Commission (or its legal successor) for arbitration and settlement, and the decision of said commission in such cases shall be final and binding upon the board.

10. The company shall operate the said power house and equipment and any steam-power plants now forming part of the properties named in paragraph 7 (11) hereof, or which may hereafter be constructed in connection therewith, so as to produce the fullest practicable output of usable or salable electric energy, and shall either itself transmit, distribute, and sell all surplus energy not used by it in the manufacture of nitrogen or other commercial fertilizers or enter into contracts for such transmission, distribution, and sale. Such transmission, distribution, and sale and contracts therefor shall be subject to the regulation and control of the properly constituted authorities of the State or States in which such transmission, distribution, or sale is effected, or of the Federal Power Commission, within the re-

spective jurisdiction of each as provided by the Federal water power act. The company shall also establish and maintain for its entire operation such system of accounts as may be prescribed by said commission, and said commission shall have, with respect to the accounts, books, and records of the company, the same authority which it has with respect to the accounts, books, and records of licensees under said act.

11. The determination of the proportion of electric energy used in the manufacture of nitrogen and other commercial fertilizers shall for the purposes specified in paragraph 3 hereof rest with the Federal Power Commission, and its decisions with respect thereto shall be final. Said commission shall also have authority to determine the practicable output of usable or salable electric energy to be produced and to determine the adequacy of repairs and the necessity of renewals incident to efficient maintenance and operation of said power house, substructures, superstructures, machinery, and appliances appurtenant thereto.

12. Whenever the company is directly benefited by the construction by a licensee of the United States or by the United States itself of a storage reservoir or other head-water improvement, the company shall reimburse the owner of such reservoir or other improvement for such part of the annual charges for interest, maintenance, and depreciation thereon as the Federal Power Commission shall determine to be equitable; and whenever such reservoir or other improvement is constructed by the United States the company shall pay to the United States similar charges similarly determined.

17. Whenever in the national defense the United States shall require all or any part of the operating facilities at nitrate plant No. 2 for the production of materials necessary in the manufacture of explosives or other war materials, then the United States shall have the immediate right, upon five (5) days' notice to the company, to take over and operate the same, and the company will supply the United States with hydroelectric power necessary for such operations, together with the use of all patented processes which the United States may need which the company owns or has the right to use. When required for national defense any of the company's personnel and operating organization necessary for operating any part of nitrate plant No. 2 in the manufacture of materials for explosives or other war materials shall be at the disposal of the United States. For the facilities and services aforesaid the United States shall protect the company from losses occasioned by such use and shall return the said property in as good condition as when received and reasonably compensate the company for the use thereof. All duly authorized agents and representatives of the United States shall have free access at all reasonable times to inspect and study all of the operations, chemical processes, and methods employed by the company at nitrate plant No. 2, provided that such agents and representatives shall not use the information and the facts concerning any of the company's operations except for the benefit and protection of the United States.

18. In order that said company may be supplied with electric power and the farmers and other users with fertilizers after the termination of the said one-hundred-year leases, should the United States elect not to operate said power plants but determine to lease or dispose of same, the company shall have the preferred right to negotiate with the United States for

14. In order that the farmers and other users may be supplied with fertilizers after the termination of the said fifty (50) years' lease period, should the United States elect not to operate said power plant and other properties, or any of them, but determine to lease or dispose of same, the company shall have the preferred right to negotiate for a renewal of lease

such lease or purchase, and upon such terms as may then be prescribed by Congress.

19. In addition to any other remedies that may be possessed by the United States, and as a further method of procedure in the event of the violation of any of the terms of this proposal or any contracts made in furtherance of its terms, the company agrees that the Attorney General may upon the request of the Secretary of War institute proceedings in equity in the District Court of the United States for the Northern District of Alabama for the purpose of cancelling and terminating the lease of Dam No. 2 or Dam No. 3, or both of them, because of such violation or for the purpose of remedying or correcting by injunction, mandamus, or other process any act of commission or omission in violation of the terms of this proposal or any contract made in furtherance thereof.

20. The above proposals are submitted for acceptance as a whole and not in part. Upon acceptance, the promises, undertakings, and obligations shall be binding upon the United States, and jointly and severally upon the undersigned, his heirs, representatives, and assigns, and the company, its successors and assigns; and all the necessary contracts, leases, deeds, and other instruments necessary or appropriate to effectuate the purposes of this proposal shall be duly executed and delivered by the respective parties above mentioned.

Approved and signed by me at Dearborn, Mich., this thirty-first day of May, 1923.

HENRY FORD.

The SPEAKER pro tempore. The gentleman from Texas [Mr. GARNER] is recognized for 30 minutes if he cares to use it.

Mr. GARRETT of Tennessee. The gentleman from Texas announced early in the day that he would be unable, on account of illness, to utilize the time that had been granted him and obtained consent to extend his remarks in the RECORD, and therefore that time is not needed by him.

#### DEMOCRATIC SUBSTITUTE INCOME-TAX PROPOSAL.

Mr. GARNER of Texas. Mr. Speaker, under leave obtained to print I insert the following, in order that the membership of the House may have the results of a partial investigation made by the Democratic members of the Ways and Means Committee

with such agency of the United States as is authorized to lease or dispose of said plants and properties; and in the event the terms of the renewal offered by the United States are not accepted by the company, the conditions of this offer shall remain in effect until the United States shall lease or dispose of said plants and properties to another under terms no less favorable to the United States than offered to the company. In the event said plants and properties are leased or disposed of to another, the company shall be reimbursed for new properties or for additions to or betterments of existing properties constructed or made at its own expense and used or useful in the manufacture of nitrogen or other commercial fertilizers in an amount equal to the fair value not to exceed actual cost of such properties, additions, or betterments.

15. In addition to any other remedies that may be possessed by the United States, and as a further method of procedure in the event of the violation of any of the terms of this offer or of any contracts made in furtherance of its terms, the company agrees that the Attorney General may upon request of the Federal Power Commission institute proceedings in equity in the District Court of the United States for the Northern District of Alabama for the purpose of cancelling and terminating the lease of Dam No. 2, or of the other properties named herein, or both, because of such violation, or for the purpose of remedying or correcting by injunction, mandamus, or other process any act of commission or omission in violation of the terms of this offer or of any contract made in furtherance thereof.

16. The above proposals are submitted for acceptance as a whole and not in part. Upon acceptance the promises, undertakings, and obligations shall be binding upon the United States, and jointly and severally upon the undersigned, his heirs, representatives, and assigns, and the company, its successors, and assigns; and all the necessary contracts, leases, and other instruments necessary or appropriate to effectuate the purposes of this proposal shall be duly executed and delivered by the respective parties above mentioned.

looking to the readjustment and reduction of the present internal-revenue taxes. Later on, as we study the other provisions of the bill, we hope to make further suggestions that will be beneficial.

No Democratic Member of either House of Congress was invited to confer with Secretary Mellon or his official force in connection with the preparation of the Mellon tax plan. Democrats therefore have been obliged to consider the provisions of this measure by themselves since it was disclosed to them during last month. It is evident that Democrats could not have intelligently expressed themselves any earlier. I and my associates on the committee have now reached preliminary conclusions relative to some phases of the Mellon proposal as it relates to income taxes, which are as follows:

1. The Mellon proposals contain many good features, and each of these I think will receive whole-hearted Democratic support. The first relates to the pending bill to amend, modify, and improve the administration side. It is now being considered in the most nonpartisan spirit. The general idea of readjusting downward normal rates and surtax rates in many instances, together with reduced rates on income derived from personal service, is excellent. Democrats have a recent and affirmative record on most of these proposals. The following are some suggested modifications of Mellon's plan.

2. Fix normal income-tax exemptions at \$2,000 for single persons instead of the present \$1,000, as Mellon proposes, and \$3,000 for married persons, or heads of families, instead of the present \$2,500, as Mellon proposes, leaving special deductions or allowances undisturbed.

3. Fix normal income tax rates at 2 per cent on amounts of \$5,000 and under instead of 3 per cent under \$4,000 as Mellon proposes; and instead of 4 per cent as under existing law; 4 per cent from \$5,000 to \$10,000 instead of 6 per cent above \$4,000 as Mellon proposes, and instead of 8 per cent as under existing law; and 6 per cent on all amounts in excess of \$10,000, instead of 8 per cent as under existing law.

4. Extend the Mellon earned-income proposal, which excludes farmers and most merchants and tradesmen, so as to include reasonable compensation to farmers owning and personally operating their farms, and also personal compensation to merchants and other tradesmen who combine capital and personal services for the purpose of earning income, together with suitable tax safeguards. Provide that the tax rate on earned income shall be 3½ per cent below the normal and surtax rates prescribed for unearned income, instead of 25 per cent, as Mellon proposes.

5. Let surtax graduation commence with 1 per cent on incomes from \$12,000 to \$14,000, instead of \$10,000 to \$12,000 as Mellon proposes, and instead of \$6,000 to \$8,000 as under existing law, as follows:

#### Democratic surtax rates.

Per cent:	
1	\$12,000 to \$14,000
2	14,000 to 16,000
3	16,000 to 18,000
4	18,000 to 20,000
5	20,000 to 22,000
6	22,000 to 24,000
7	24,000 to 26,000
8	26,000 to 28,000
9	28,000 to 30,000
10	30,000 to 32,000
11	32,000 to 34,000
12	34,000 to 36,000
13	36,000 to 38,000
14	38,000 to 40,000
15	40,000 to 42,000
16	42,000 to 44,000
17	44,000 to 46,000
18	46,000 to 48,000
19	48,000 to 50,000
20	50,000 to 52,000
21	52,000 to 54,000
22	54,000 to 56,000
23	56,000 to 58,000
24	58,000 to 60,000
25	60,000 to 61,000
26	61,000 to 62,000
27	62,000 to 63,000
28	63,000 to 64,000
29	64,000 to 65,000
30	65,000 to 66,000
31	66,000 to 68,000
32	68,000 to 70,000
33	70,000 to 72,000
34	72,000 to 74,000
35	74,000 to 76,000
36	76,000 to 78,000
37	78,000 to 80,000
38	80,000 to 82,000
39	82,000 to 84,000
40	84,000 to 86,000
41	86,000 to 88,000
42	88,000 to 90,000
43	90,000 to 92,000
44	92,000 to 94,000

#### Comparison of surtax rates.

Income.	Present law.	Mellon plan.	Democratic plan.
	Per cent.	Per cent.	Per cent.
\$6,000-\$10,000.....	1	0	0
\$10,000-\$12,000.....	2	1	0
\$12,000-\$14,000.....	3	2	1
\$14,000-\$16,000.....	4	3	2
\$16,000-\$18,000.....	5	4	3
\$18,000-\$20,000.....	6	5	4
\$20,000-\$22,000.....	7	6	5
\$22,000-\$24,000.....	8	7	6
\$24,000-\$26,000.....	9	8	7
\$26,000-\$28,000.....	10	9	8
\$28,000-\$30,000.....	11	10	9
\$30,000-\$32,000.....	12	11	10
\$32,000-\$34,000.....	13	12	11
\$34,000-\$36,000.....	14	13	12
\$36,000-\$38,000.....	15	14	13
\$38,000-\$40,000.....	16	15	14
\$40,000-\$42,000.....	17	16	15
\$42,000-\$44,000.....	18	17	16
\$44,000-\$46,000.....	19	18	17
\$46,000-\$48,000.....	20	19	18
\$48,000-\$50,000.....	21	20	19
\$50,000-\$52,000.....	22	21	20
\$52,000-\$54,000.....	23	22	21
\$54,000-\$56,000.....	24	23	22
\$56,000-\$58,000.....	25	24	23
\$58,000-\$60,000.....	26	25	24
\$60,000-\$62,000.....	27	26	25
\$62,000-\$64,000.....	28	27	26
\$64,000-\$66,000.....	29	28	27
\$66,000-\$68,000.....	30	29	28
\$68,000-\$70,000.....	31	30	29
\$70,000-\$72,000.....	32	31	30
\$72,000-\$74,000.....	33	32	31
\$74,000-\$76,000.....	34	33	32
\$76,000-\$78,000.....	35	34	33
\$78,000-\$80,000.....	36	35	34
\$80,000-\$82,000.....	37	36	35
\$82,000-\$84,000.....	38	37	36
\$84,000-\$86,000.....	39	38	37
\$86,000-\$88,000.....	40	39	38
\$88,000-\$90,000.....	41	40	39
\$90,000-\$92,000.....	42	41	40
\$92,000-\$94,000.....	43	42	41
\$94,000-\$96,000.....	44	43	42
\$96,000-\$98,000.....	45	44	43
\$98,000-\$100,000.....	46	45	44
\$100,000-\$150,000.....	47	46	44
\$150,000-\$200,000.....	48	47	44
\$200,000 and over.....	49	48	44

The following table of comparison of the Democratic plan with the Mellon plan will be interesting as well as instructive:

Table showing comparative tax of married persons without dependents and per cent of reductions under the Mellon plan and the Democratic plan as compared with existing law.

Income.	Amount of tax under—			Per cent reduction under—	
	Present law	Mellon plan.	Democratic plan.	Mellon plan.	Democratic plan.
				Per cent.	Per cent.
\$5,000.....	\$100.00	\$75.00	\$40.00	25.00	60.00
\$10,000.....	520.00	360.00	240.00	30.76	53.84
\$20,000.....	1,720.00	1,260.00	1,040.00	26.74	39.53
\$30,000.....	3,520.00	2,660.00	2,340.00	24.43	30.68
\$40,000.....	5,840.00	4,540.00	4,140.00	22.26	29.10
\$50,000.....	8,640.00	6,680.00	6,440.00	22.68	25.46
\$60,000.....	11,940.00	8,980.00	9,240.00	24.79	22.61
\$70,000.....	15,740.00	11,640.00	12,750.00	26.04	18.99
\$80,000.....	20,040.00	14,080.00	16,850.00	29.74	16.91
\$90,000.....	24,840.00	16,880.00	21,450.00	32.04	13.64
\$100,000.....	30,140.00	19,940.00	26,430.00	33.84	12.30
\$200,000.....	86,640.00	52,740.00	76,430.00	39.12	11.78

The difficulty of the Treasury or any person fixing a just and scientific scale of surtax rates is obvious, in view of the fact that the larger portion of income subject to these rates is derived from corporate profits, especially after the proposed reduction of rates on earned incomes goes into effect. This is true because during recent years, or at least prior to 1922, corporation owners have been retaining in their corporations more than 60 per cent of the corporate profits, while distributing less than an average of 40 per cent and paying surtaxes thereon. For the years 1919, 1920, and 1921 the aggregate corporate profits, after paying all expenses and profits and other taxes except the income tax proper, were \$19,000,000,000, while only \$7,663,000,000 was distributed as dividends and paid surtaxes.

It is apparent, therefore, that the proper scale of surtax rates is greatly affected by the extent to which the corporate profits are distributed or retained in the corporation, and should be increased or decreased accordingly. The proper scale can best be ascertained by degrees.

We are obliged to keep in mind also that surtax rates are to a considerable extent nominal rather than actual. For example, an income of \$100,000 is subjected to 48 per cent surtax under existing law, but the total tax paid is \$30,076, or 30 per cent of the income, instead of the prescribed 48 per cent. The proposed 33½ per cent reduction on income derived from personal service, as distinguished from property or capital invested, will only tend to equalize the amount of taxes paid on earned and unearned income, respectively, as is patent from the foregoing recitals.

The raising of individual exemptions to \$2,000 and \$3,000, respectively, as already pointed out, will only result in tax losses of between \$40,000,000 and \$50,000,000, but will relieve between 800,000 and 1,000,000 individuals who now make tax returns but pay no taxes on account of deductions allowed, and will also relieve 1,646,000 laborers and small farmers and merchants whose tax is less than \$12 each, not to mention heads of families now in the \$2,000 to \$3,000 bracket, and will at the same time relieve the Treasury of a tremendous burden and expense where but a small amount of tax is involved.

One tremendous difference to a vast number of taxpayers between the Mellon income-tax proposal and the Democratic substitute is that there are, according to the statistics of income for 1921, 390,000 persons with incomes of under \$1,000 who are required to make returns but pay no taxes on account of deductions and exemptions. There are, in addition, 794,000 persons with incomes of \$1,000 to \$2,000 who are now required to make returns but pay no taxes for the reason just stated. Under the Democratic substitute tax plan these 2,000,000 persons will be relieved of the trouble of making returns although paying no taxes. In addition to this difference in the Mellon and the Democratic income-tax plans, 1,646,000 persons with incomes of \$1,000 to \$2,000 and 580,000 heads of families with incomes of \$2,000 to \$3,000 will be entirely relieved of taxation under the Democratic plan but are taxed under the Mellon plan. This immense relief to these millions of small farmers, tradesmen, mechanics, and other laborers and small business men under the Democratic plan is in striking contrast with the Mellon proposal. It will only result in a loss of less than \$50,000,000 of revenue.

The fact will be recalled that as late as 1917, when we entered the war, the income-tax exemptions were \$3,000 and \$4,000 for single and married persons, respectively. Several millions of farmers and tradesmen combined will get the benefit of the 33½ per cent reduction on earned incomes under the Democratic plan who are excluded and denied such benefits under the Mellon plan.

The Democratic substitute income-tax plan is more logical in its structure than the Mellon plan and more nearly conforms to the established doctrines of income taxation and to the operation of income tax laws in other countries than the Mellon plan. The Democratic surtax rates, which are prescribed according to the doctrine of ability to pay, are substantially below the present rates in many or most other countries. The rates in Great Britain still closely approach 50 per cent, while the maximum rate in Canada to-day is around 65 per cent. The unbiased citizen, therefore, must agree that the Democratic income-tax substitute is far more sound than that of Mr. Mellon, which proposes to cut in half the higher income surtaxes.

The conclusion is apparent that only the Democratic Party can be relied upon to write sound, equitable, well-balanced tax legislation, avoiding extremes in either direction, but requiring the people to pay according to ability, and striving at all times to do justice to every class of taxpayers.

I obtained the following from the Democratic headquarters, which will visualize some of the outstanding features of the Mellon plan:

The following will show how tax reduction under the Mellon plan is to be distributed among individual taxpayers:

Income of \$5,000,000	\$1,500,000.00
Income of \$1,000,000	251,784.00
Income of \$500,000	116,784.00
Income of \$250,000	49,284.00
Income of \$100,000	10,284.00
Income of \$50,000	1,944.00
Income of \$25,000	1,107.00
Income of \$20,000	747.00
Income of \$15,000	469.50
Income of \$10,000	222.00
Income of \$5,000	29.75
Income of \$4,000	12.75

Or, to follow the method of presentation used by a well-known cartoonist and to use his caption, "Who gets the Mellon?"

A person with \$1,000,000 income saves under the Mellon plan \$251,784.

Fifty heads of families, each having an income of \$20,000—total \$1,000,000—save under the Mellon plan \$35,350.

One hundred heads of families, each having an income of \$10,000—total \$1,000,000—save under the Mellon plan \$22,200.

Two hundred heads of families, each having an income of \$5,000—total \$1,000,000—save under the Mellon plan \$5,950.

Four hundred heads of families, each having an income of \$2,500—total \$1,000,000—save under the Mellon plan nothing.

The propagandists of the Mellon tax plan continually refer to percentages of reduction taxpayers will receive. It is not a question of percentages, but a question of dollars and cents.

5. With the understanding that tariff tax-reduction measures should be kept separate from, and should in no wise affect the consideration of internal tax-reduction legislation, we are unalterably of opinion that substantial and immediate relief should be had from several phases of existing outrageous tariff tax extortion. The present astonishingly high tariff taxes constitute the outstanding factor in the existing high cost of living. These monstrous high rates constitute a surtax upon the masses even higher than the income surtaxes on individuals. It would not only be absurd, therefore, but it would be downright dishonest, for an official to pretend to support general tax relief and to limit the same to a small group of citizens and to one phase of taxation to the exclusion of tariff taxes bearing so heavily upon our 110,000,000 population. A special tariff measure carrying substantial reductions on most articles the farmer must buy would give several hundred million dollars relief to agriculture. A number of other special tariff measures cutting down the more aggravated high rates in the existing law so as to contribute generally to the reduction in the high cost of living and the lowering of existing artificial and profiteering prices in many essential lines, should undoubtedly be considered during the present session of Congress.

There was no reason to single out one or two of the miscellaneous or nuisance taxes, as Secretary Mellon did, and propose their repeal without at the same time carefully analyzing the entire mass of these taxes, including those on auto trucks, jewelry, candy, stamps on notes, etc., and offering the maximum of relief.

Honest and equitable peace-time taxation is the goal of the Democratic Party. The foregoing proposals are in pursuance of this policy. Resting upon sound economics, we believe that they do full and equal justice to taxpayers, large and small, individual and corporate, and avoid the extreme views of any class.

We ask an unbiased comparison of the Democratic tax proposals with the Mellon proposals, and with full confidence invite the deliberate judgment of taxpayers and of all the people.

The SPEAKER pro tempore. The gentleman from Maryland [Mr. HILL] is recognized for 45 minutes. [Applause].

#### DRY OATH FOR CONGRESSMEN.

Mr. HILL, of Maryland. Mr. Speaker and gentlemen of the House, I am sorry that there was such an obvious disappointment at the contents of my two brief cases. [Laughter.]

At the last session of the House there appears in the RECORD this brief item: "The gentleman from Georgia [Mr. UPSHAW] is entitled to the floor for 45 minutes. Mr. UPSHAW addressed the House. His remarks will appear hereafter." Were it not for the fact that I have an excellent intelligence section, I could not show you that Mr. UPSHAW cited in his speech a few lines bearing upon the North and South, a few lines preparatory to his statement that in directing his attention to certain amendments to the Constitution I was attempting to wave the bloody shirt and bring back the dissensions of the Civil War.

Mr. UPSHAW quoted in part, and I will give the whole quotation, because he quoted what happens to be the motto of the Twenty-ninth—the Blue and Gray—Division. He gave you part of this, and here is all of it:

Here's to the Blue of the wind-swept North  
 When we meet on the fields of France,  
 May the spirit of Grant be with them  
 When the sons of the North advance.  
 Here's to the Gray of the sun-kissed South  
 When we meet on the fields of France,  
 May the spirit of Lee be with them there  
 When the sons of the South advance.  
 And here's to the Blue and Gray as one  
 As we meet on the fields of France,  
 May the Spirit of God be with them  
 As the sons of the flag advance.

This is the song of union from which the gentleman from Georgia quoted, in part, in his address to this House last Thursday.

My colleague [Mr. UPSHAW] in quoting two of those lines, attempted to create the impression in this House that in my letter to him on the 22d of December I was attempting to revive the issues of the Civil War. That is not the case. When I take up the election laws of Georgia I take them up to show you that the gentleman from Georgia, when he attacks as nullificationists of the Constitution those of us who stand for a modification of the eighteenth amendment speaks in political hypocrisy as one who sits by direct violation of the Constitution, and that it does not lie in his mouth to attack those who openly and in this House and in entire accordance with the Constitution seek to amend what we respectfully submit to the House is not a law which should be kept on the statute books. I speak therefore in reference to the Georgia election laws and to the 2.75 per cent suffrage by which the gentleman from Georgia sits in the House purely as a result of political hypocrisy on the part of the gentleman from Georgia and I am not at this moment attacking the suffrage laws of the South.

In that same Twenty-ninth (Blue and Gray) Division where we had that motto for which all Americans must stand, of the unity of the North and the South and of the Nation, we had a general staff, divided up into several sections, and we had one element which was always present. That was the military intelligence section, which obtained information of the enemy. It was always necessary to have information of the enemy, as well as information of our own troops, before we could make a plan of attack.

I deeply regret that I have not the most authentic information of the enemy, because, unfortunately, the remarks of the gentleman from Georgia [Mr. UPSHAW] remain, so far as the CONGRESSIONAL RECORD is concerned, in the "here-after"; but my intelligence section has worked very well and I am able to invite the attention of the House to some very serious considerations by reason of the fact that I have the newspaper releases of the remarks of the gentleman from Georgia to be made in the House, with my own annotations upon them as he actually made them.

This morning I was called up by a person on the telephone who stated that his name was Holmes. He stated that he wanted to say to me that some of this publicity—I will read it to you after a while, when we come to the question of the attitude entertained toward the House by the gentleman from Georgia—was given out without the sanction of the gentleman from Georgia, although it bears on the top of it the O. K. of the gentleman from Georgia. I want to say to the gentleman from Georgia that, as to his opinion of his address and as to his summary thereof and as to the waiting attitude of the Nation on hair trigger for his ideas, the only responsibility I assume for referring to this and to the propaganda for his candidacy as Vice President on the Democratic ticket is that made known by Mr. Rexford L. Holmes. Thanks to Mr. Holmes, or somebody—although I do not have the address of the gentleman from Georgia in the CONGRESSIONAL RECORD—I have here 18 pages of advance notice to the press. It is very beautifully gotten up, as follows:

To the Editor: This title contains: 1. Head. 2. Abstract of Representative UPSHAW's address on "The Majesty of the Law and National Sobriety." 3. Address in full.

Attached to this is the name of Rexford L. Holmes, O. K'd and issued by Representative UPSHAW.

That is my authority. I have no more official record than that, so that I must proceed with the speech that the gentleman from Georgia made from this advance copy of it. I verified most of it as he delivered it here in the House.

Mr. Speaker, when does my time end?

The SPEAKER pro tempore. The gentleman has 40 minutes.

Mr. HILL of Maryland. I thank you.

In the closing days of the old year the gentleman from Georgia asked the unanimous consent of the House to address the House on the majesty of the law and national sobriety. I made no objection because, with most of the Members of the House here present, we always like to hear national sobriety discussed. But I thought in the interest of sincerity I should like to invite the gentleman's attention to certain matters which are of interest to this House and to this country. So I wrote the gentleman a letter, which he put in his published speech in the newspapers, and which he referred to in his address before the House, but which he declined to read to the House the other day, but which I hope will yet appear in his remarks when they appear finally revised in the RECORD. In that letter I asked this question, and this covers one of the two matters which I will take up with the House to-day.

I want to talk on two definite propositions: First, the gentleman from Georgia [Mr. UPSHAW] sits in the House of Representatives in direct violation of the Constitution of the United States. I do not say that in order to lay a foundation for some one attempting to deprive the House of the pleasure of his company. I only say it because a suffrage nullificationist goes a little too far when he attempts to say that those of us who wish to modify existing laws are nullificationists and violate our oaths because we attack the eighteenth amendment.

A great many people who masquerade under the name of Republicans and under the name of Democrats have varying opinions on that subject.

I heard from the lips of a Democratic Member of this House from the State of Virginia [Mr. TUCKER], formerly a president of the American Bar Association, an eloquent address on Thursday last on the reserved power of the States under the United States Constitution. On the same day I heard the speech of the gentleman from Georgia, who represents, let us call it, the majority party in Georgia. I wish to speak first on the question of the violation of the Constitution in the election of the gentleman from Georgia.

Then I wish to speak on the second proposition, which is that Georgia not only can not enforce her own laws and the prohibition laws of the United States, but that its homemade hooch is poured out even over this glorious Capital of the United States. So I wrote to our colleague [Mr. UPSHAW] on the 22d of December and referred to the following extract from the daily papers of a few days before concerning one of these annual Christmas "liquor plots" in Washington, which is intended always to raise the price of Christmas liquor, I suppose. Always before Christmas lists are to be published in Washington, but we never see them after Christmas.

Here is part of what I wrote to Mr. UPSHAW on December 22, 1923:

I am deeply concerned this morning to read in the morning papers, however, that people in the great State of Georgia are part of a gigantic liquor plot to flood the Capital of the United States with illicit rum. I read that a "booze syndicate," with headquarters in two of Washington's largest office buildings and boasting among its patrons Senators and Representatives, other high Government officials, and persons prominent in society was unearthed yesterday by special agents of the Treasury Department. I also read that much of the liquor sold by this syndicate, "all of which was of the best grades the police said, was shipped to Washington by an international rum-smuggling group at Savannah, Ga., in chartered vessels."

This was not the \$150,000 Georgia conspiracy but a new one, apparently, that the Georgia authorities had not yet learned of, since it came up during Christmas. I asked the gentleman from Georgia to inform the House how we might remove the mote or beam that was in the eye of Georgia before attacking a corresponding disability in other eyes in the United States. At the same time I said:

When you are dealing with the majesty of the law there are many of us who would be highly gratified if you would discuss Section 2 of Article 14 of the Constitution, which provides:

"Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed: But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the executive and judicial officers of a State, or the members of the legislature thereof, is denied to any of the male inhabitants of such State, being 21 years of age and citizens of the United States, or in any way abridged except for participation in rebellion, or other crimes, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens 21 years of age in such State."

I made that as a serious suggestion on the old grounds under which we lawyers raise the question in equity, namely, whether the plaintiff in an equity court comes into that court with clean hands. I propose to cite authorities from the records of this House on this subject, and also from the laws of the United States and the decisions of the Supreme Court of the United States to show that Mr. UPSHAW sits in violation of the Constitution of the United States.

Now, what was his answer to that? In this release, made Thursday, January 3, 1924, prepared by Rexford L. Holmes and O. K'd by Mr. UPSHAW, you will find the answer of the gentleman from Georgia as summarized by Rexford L. Holmes. I will later take up the detailed statements; here is part of it:

That Representative JOHN PHILIP HILL, of Maryland, Representative MADDEN, head of the powerful Appropriations Committee of the House, and Speaker FREDERICK H. GILLET, all Republicans and anti-Prohibitionists, would forfeit their seats in the House of Representa-

tives were a strict interpretation of the fourteenth amendment to the Constitution to be required, was the assertion of Representative WILLIAM D. UPSHAW, of Georgia, in his much anticipated speech on "The majesty of the law and national sobriety," delivered to-day on the floor of Congress.

He did not tell us how we violated the law. I have read this speech carefully, and perhaps he is holding up the publication of his speech in order to be able to prove that statement, because there is no proof of it elsewhere.

Now, gentlemen, who is Mr. UPSHAW? Before I start on this citation of authorities to show he sits illegally in this House, I ask unanimous consent to file in the Record this bit of publicity in which Mr. UPSHAW states, or Mr. Holmes states for him, his construction of the attitude which Mr. UPSHAW takes on all these questions. In reference to his last speech, here is what is said by Mr. UPSHAW, of Mr. UPSHAW, and for Mr. UPSHAW.

He said in part:

His utterance at the opening of Congress will have added significance by reason of the fact that in a number of magazines and metropolitan papers the Georgia crusader has been prominently mentioned for the vice presidential nomination on the Democratic ticket.

You should read all of it, however, and I ask unanimous consent to file that advance statement at this moment.

The SPEAKER pro tempore. The gentleman from Maryland [Mr. HILL] asks unanimous consent to file a statement in the Record. Is there objection?

There was no objection.

Following is the statement referred to:

[For immediate release. Issued by Rexford L. Holmes.]

"If I knew that my speech, which I have secured unanimous consent to deliver on the floor of Congress on Thursday, the opening day after the holidays, was to be my last utterance on this earth and that God would call me home at sundown, after its delivery, I would still make the speech in the exact form in which I have prepared it. I shall probably have to deliver the address while seated in a chair, on account of my recently fractured rib, but, thank God, the old vocal apparatus is still going strong, and while God gives me breath I will be heard in favor of the majesty of the law and national sobriety." Thus spoke Representative WILLIAM D. UPSHAW, of Georgia, from his improvised office in the Potomac Hotel in Washington to-day, and the fire and vigor of his utterance boded no tolerance for his ancient foes, the advocates of a loose interpretation of the prohibition amendment to the Constitution. His utterance at the opening of Congress will have added significance by reason of the fact that in a number of magazines and metropolitan papers the Georgia crusader has been prominently mentioned for the vice presidential nomination on the Democratic ticket.

It will be recalled that just before the congressional recess preceding the holidays Representative UPSHAW was granted unanimous consent to address the House on its opening day on the subject of "The majesty of the law and national sobriety." Remembering his historic 13-minute speech delivered on December 20, 1922, demanding personal law observance on the part of the Nation's officialdom and other stirring utterances on and off the floor of the House by this intrepid Congressman on crutches, the entire country is awaiting with hair-trigger expectancy his speech on Thursday, when the Georgian is expected to flay in his picturesque "Hell-and-Maria" style the opponents of prohibition and demand the rigid enforcement of the eighteenth amendment.

Close friends of Mr. UPSHAW's, who have seen a rough advance draft of the speech, state that it will not lack in picturesqueness or in vigor the qualities of the Georgian's former utterances. He will single out particularly the Chicago Daily Tribune and Representative HILL of Maryland for vigorous attack. The address is said, however, to be of a jovial character, not likely to offend the personal sensibilities of those most bitterly assailed. It will particularly and vigorously reply to Congressman HILL's allegation that Representative UPSHAW and other Southern Congressmen hold their seats in Congress by reason of a violation by their respective States of the fourteenth amendment to the Constitution. It is understood that Mr. UPSHAW will declare as a matter of fact that a strict construction of the Constitution and a consideration of its violation, in spirit and in letter, by certain Northern and other States, would empty the congressional seats of Mr. HILL himself, as well as of the head of the powerful Appropriations Committee, Mr. MADDEN, and even of the Speaker of the House, Mr. GILBERT. In other words, in the phrase of the late Champ Clark, these fellows who desire a loosening of the prohibition bars had better not "kick his houn' dawg around, or by the everlasting Georgia soda-crackers he will do some kicking that will de-representize some of the popular congressional districts of this great Republic!" And that's that.

Telegrams, letters, and telephone calls continue to pour in on Mr. UPSHAW as he sits propped up in his chair, for many years a cripple on crutches, and now with a fractured rib added for good measure,

dictating his speech, which his friends believe will be the greatest effort of his life. The friends of prohibition are looking to this modern congressional Moses on crutches to lead them out of the wilderness of law malobservance, and it may be added that the opposition, remembering the pulverizing vitriol of the Georgian's eloquent tongue, are shivering just a wee bit in advance, as they wonder what the "Dawes of Congress" (sans the Chicago brand of profanity) is going to say and do on the opening day of the New Year session.

Mr. HILL of Maryland. Now, I have one more thing to say in reference to the gentleman from Georgia before I quote you the authorities as to his sitting as a nullificationist. I do not speak of the gentleman from Georgia personally. I speak of him only as a political entity and as a Representative of his State in this Congress. The gentleman from Georgia is the one who came here last week and insulted every Member of this House of Representatives by giving to the press the following, as what he desired to have enacted by this House:

Mr. UPSHAW, as part of his program, said:

To meet the needs of the present moral crisis I offer a rum-proof, "booze-tight," clean-up program, a part of which I have introduced—will soon introduce or will have introduced by others—a part of which I have urged on Executive consideration, and for all of which I will fight, God helping me, till I fall in my tracks for the redemption of America and America's glorious leadership in the redemption of the world.

First. Let Congress clean around its own door by passing a resolution declaring persona non grata to the floor of the House any Member found under the influence of liquor in the Capitol or House Office Building, or known to have liquor illegally acquired in his office.

Second. Immediate deportation, without grace or privilege of returning to America, for all aliens found guilty of violating the prohibition law.

Gentlemen, that is an insult to every one of you. I am only a new Member; I have been here only two years, but I have never yet seen any Member of this House, in the House or in the Capitol, in any way influenced by liquor of any sort. I deplore that such stuff as that is issued concerning the Congress of the United States under the guise of legitimate debate.

That is not the first time this gentleman has done that. What did he do last year? He came into this House and made a speech of the same sort, and then I put in a resolution, which I shall ask leave to file without reading all of it. In a speech he charged the same sort of thing, but never proved it. I tried to make him prove or retract in the following resolution:

House Resolution 479.

Whereas, in a newspaper release of December 20, 1922, purporting to have been written by Hon. WILLIAM DAVID UPSHAW of Georgia, a Member of the House of Representatives, the following charges appear: "The people—the plain people—have cumulative evidence that some of these 'conferring' governors and many other high officials do not practice the prohibition enforcement which they preach to others."

"Let these governors, led by the President and Vice President of the United States and all the members of the Cabinet, walk out in the open and lift their hands before high heaven and take a new oath of allegiance to the whole Constitution and the American flag; let them sacredly declare that, regardless of what their tastes and practices have been, they will never again build up a bootlegger's barbarous business by drinking any form or any amount of illicit liquors at any dinner or at any function or in any 'ballroom or back alley.' Let every Member of Congress and every United States Senator follow suit."

And

Whereas, in a newspaper release on January 9, 1923, reiterated the same day on the floor of the House, the following additional charges were made by the said Mr. UPSHAW:

"And as for Members of this House, God knows I find no pleasure in this disclosure, but the bright daughter of one of the best men in Congress said to me: 'We are with you. I wish you could stop liquor selling and drinking in this House Office Building.'

And here is a signed letter that says:

"—, a professional bootlegger, told me a year ago 'the House Office Building furnishes my best customers, and as long as those 'blankety-blanks' keep buying I am going to keep on selling.' I have reported him several times, but they let him pay a fine, and he goes right back to bootlegging. He does nothing else."

"The Columbia Sentinel, the paper of the late Senator Thomas E. Watson, enjoying a national circulation, and now edited by the brilliant former secretary of Senator Watson, Grover C. Edmonson, says:

"'UPSHAW's advice to the men 'higher up' is good sense, sound law, and wholesome honesty. If public officials themselves violate one of our laws, what right have they to jail the average man for committing the same sin?'"

And

Whereas the publication of said charges, if untrue, are a grave wrong to this body, and if true, the responsibility should be placed where it belongs; and

Whereas the said Hon. WILLIAM DAVID UPSHAW, on December 20, 1922, reiterated the same on the floor of the House: Therefore be it

*Resolved*, That the Judiciary Committee of the House be directed to investigate and report to the House whether said charges are true, and if untrue, whether the said Hon. WILLIAM DAVID UPSHAW has violated the privileges of the House, and their recommendations relative to the same.

*Resolved further*, That said Judiciary Committee have leave to sit during the sessions of the House, to send for persons and papers, to swear witnesses, and to compel their attendance.

You gentlemen of the last Congress are hereby referred to; not the new Members, but we in the last Congress were referred to on the floor of this House by Mr. UPSHAW as being "—", who buy liquor in the House Office Building."

He made the charges, but never proved them, and again he makes similar charges which he can not and dares not attempt to prove.

I put in this resolution, which was referred to the Judiciary Committee, in which I asked the Judiciary Committee to investigate that insult to the House. Mr. Volstead was chairman of the Judiciary Committee, but no action was taken on this resolution.

Gentlemen, we stand for enough before the world as it is. To be a Member of Congress is to be considered everything that is useless, according to the point of view of some people; and I do not think, whether we happen to favor the modification of the Volstead Act or whether we are against the modification of the Volstead Act, we want to have that stuff to go out in reference to Members of this House.

I have given you estimates of the gentleman from Georgia from his own words and according to his own point of view. Now, I wish to take up with you my definite statement as to the suffrage laws of Georgia, but I am not attacking the suffrage laws of the South. Apparently, the Nation has agreed to the nullification of the fourteenth and fifteenth amendments, and as far as I know neither the fourteenth nor fifteenth amendment has ever been enforced within the last 10 years except in the State of Maryland.

I have the fortunate privilege of being able to present to you this afternoon the case of the United States against Stone in which I, as United States district attorney, successfully indicted and obtained a conviction of the election supervisors of a certain county in Maryland for attempting to disfranchise people because of their color. I want to say to you that it was not only the Republicans of Maryland, but also independent Democrats of Maryland who, back 10 years ago, fought shoulder to shoulder to keep crooked election laws off the books—crooked election laws passed like this Georgia one of 1908, under which the gentleman from Georgia sits here. In Maryland the fight for honest election laws was not a Republican or a Democratic thing. It was a movement of good citizens, and the fight was assisted by such men as Charles J. Bonaparte. Let me say this to you, that in this Stone case (188 Fed. Repts. 836), as United States district attorney, I had associated with me as special assistant United States attorney one of the most able and intelligent Democrats in Maryland, in order that there might not be any politics in those cases.

Mr. BLANTON. Will the gentleman yield?

Mr. HILL of Maryland. In a few minutes, if you will just wait. I would like to finish this, and then I will be very glad to yield to any questions. I want to save a little time for that.

Now, I want to offer some extracts from the Code of Georgia, under which the gentleman from Georgia sits, and, by the way, you will search in vain in the Congressional Directory of 1916, 1918, and 1920 for any of the figures showing the number of people who voted in the election for the gentleman from Georgia. When you come to the returns for the last election you will find that about 7,000 people voted out of a population of 308,364, that 1 out of 44 voted; whereas in the election of practically every other Member of the House 1 out of every 5 voted.

I am quite sure that in the election of the gentleman from Texas [Mr. BLANTON] you will find that 1 out of 5 of his total population voted, and I know that in the election of the Speaker of the House 1 out of 5 voted. The Speaker is one of those that the gentleman from Georgia refers to as not having a big enough vote, but 1 out of 5 is the normal ratio. In fact, I know it is, because I checked it up in the case of the gentleman from Illinois [Mr. MADDEN] and found that 1 out of 5 of his population voted. I know that in my case 1 out of 5 voted.

The gentleman from Georgia, with that oblique attitude of mind characteristic of the professional prohibitionist, says, "Oh, look at the district next to HILL's, where we get glad tidings from the election of Colonel TYDINGS. He got 20,000 votes more than HILL." But he did not tell you that TYDINGS had 100,000 more population to draw from, nor did he tell you that TYDINGS will vote for a modification of the Volstead Act. Colonel TYDINGS was in the Twenty-ninth Division, the "Blue and Gray" Division, and I happen to know.

Now, let us go back to the Georgia election laws. This is chapter 1 of title 2, Code of the State of Georgia, volume 1, 1911, section 34, "Qualification of voters."

I am going to skip through this, but I shall ask that all these sections be included in order that there may be no omissions.

#### CHAPTER 1.

##### QUALIFICATION OF VOTERS.

Qualification of voters: The qualification of voters is contained in the following sections of the constitution of this State, to wit:

"PARAGRAPH 1. After the year 1908 elections by the people shall be by ballot, and only those persons shall be allowed to vote who have been first registered in accordance with the requirements of law.

"PAR. 2. Every male citizen of this State who is a citizen of the United States, 21 years old or upwards, not laboring under any of the disabilities named in this article, and possessing the qualifications provided by it, shall be an elector and entitled to register and vote at any election by the people; provided, that no soldier, sailor, or marine in the military or naval service of the United States shall acquire the rights of an elector by reason of being stationed on duty in this State.

"PAR. 3. To entitle a person to register and vote at any election by the people, he shall have resided in the State one year next preceding the election, and in the county in which he offers to vote six months next preceding the election, and shall have paid all taxes which may have been required of him since the adoption of the constitution of Georgia of 1877 that he may have had an opportunity of paying agreeably to law. Such payment must have been made at least six months prior to the election at which he offers to vote, except when such elections are held within six months from the expiration of the time fixed by law for the payment of such taxes.

"PAR. 4. Every male citizen of this State shall be entitled to register as an elector and to vote in all elections of said State who is not disqualified under the provisions of section 2 of article 2 of this constitution, and who possesses the qualifications prescribed in paragraphs 2 and 3 of this section, or who will possess them at the date of the election occurring next after his registration, and who in addition thereto comes within either of the classes provided for in the five following subdivisions of this paragraph:

"1. All persons who have honorably served in the land or naval forces of the United States in the Revolutionary War, or in the War of 1812, or in the war with Mexico, or in any war with the Indians, or in the War between the States, or in the war with Spain, or who honorably served in the land or naval forces of the Confederate States or of the State of Georgia in the War between the States; or

"2. All persons lawfully descended from those embraced in the classes enumerated in the subdivision next above; or

"3. All persons who are of good character and understand the duties and obligations of citizenship under a republican form of government; or

"4. All persons who can correctly read in the English language any paragraph of the Constitution of the United States or of this State and correctly write the same in the English language when read to them by any one of the registrars, and all persons who solely because of physical disability are unable to comply with the above requirements, but who can understand and give a reasonable interpretation of any paragraph of the Constitution of the United States, or of this State, that may be read to them by any one of the registrars; or

"5. Any person who is the owner in good faith in his own right of at least 40 acres of land situated in this State, upon which he resides, or is the owner in good faith in his own right of property situated in this State and assessed for taxation at the value of \$500.

"PAR. 5. The right to register under subdivisions 1 and 2 of paragraph 4 shall continue only until January 1, 1915. But the registrars shall prepare a roster of all persons who register under subdivisions 1 and 2 of paragraph 4 and shall return the same to the clerk's office of the superior court of their counties; and the clerks of the superior court shall send copies of the same to the secretary of state, and it shall be the duty of these officers to record and permanently preserve these rosters. Any person who has been once registered under either of the subdivisions 1 or 2 of paragraph 4 shall thereafter be permitted to vote, provided he meets the requirements of paragraphs 2 and 3 of this section.

"PAR. 6. Any person to whom the right of registration is denied by the registrars upon the ground that he lacks the qualifications set forth in the five subdivisions of paragraph 4 shall have the right to

take an appeal, and any citizen may enter an appeal from the decision of the registrars allowing any person to register under said subdivisions. All appeals must be filed in writing with the registrars within 10 days from the date of the decision complained of and shall be returned by the registrars to the office of the clerk of the superior court to be tried as other appeals.

"PAR. 7. Pending an appeal and until the final decision of the case, the judgment of the registrars shall remain in full force.

"PAR. 8. No person shall be allowed to participate in a primary of any political party or a convention of any political party in this State who is not a qualified voter.

"PAR. 9. The machinery provided by law for the registration of force October 1, 1908, shall be used to carry out the provisions of this section, except where inconsistent with same; the legislature may change or amend the registration laws from time to time, but no such change or amendment shall operate to defeat any of the provisions of this section.

"Who disfranchised. But the following classes of persons shall not be permitted to vote: (1) Those who shall have been convicted in any court of competent jurisdiction of treason against the State, of embezzlement of public funds, malfeasance in office, bribery or larceny, or of any crime involving moral turpitude punishable by the laws of this State with imprisonment in the penitentiary, unless such person shall have been pardoned; (2) Idiots and insane persons."

Now, in Georgia a man must first have paid all taxes that may have been required of him since the adoption of the constitution of Georgia in 1877 which he was able to pay conveniently. It is a matter of discretion whether he could conveniently pay them or not; but listen to this, because he must have other qualifications; not only must he have paid taxes but he must be a member of a privileged class which we thought we had abolished in this country when we passed the Constitution of the United States, because paragraph 4 says not only must he have paid his taxes but he must possess in addition to the qualifications prescribed in paragraphs 2 and 3 of this section certain added qualifications thereafter stated. Oh, it is a great State, Georgia, gentlemen. I have no kick against Georgia. I went up there during 1917 from Camp McClellan, in Alabama, for one very pleasant party during the war. I admire the State, but it can not eat its cake and have it, too. It can not enjoy having the gentleman from Georgia here on 2.75 suffrage and refuse us in the North 2.75 beverage. [Laughter.]

Here is what you have got to be in order to vote in Georgia: You have got to belong to one of these five classes. Thank the Lord, I come within one class, and I could vote if I were in Georgia. You have got to have paid your taxes—and I might not be able to qualify on that, but I could qualify, by descent, as coming within one of the classes provided for in the following subdivisions of this paragraph:

1. All persons who have honorably served in the land or naval forces of the United States in the Revolutionary War.

[Laughter.]

My dear friends, I figured on that. There were about 7,000 people who voted in the election of the gentleman from Georgia in this last election. I wondered how many of them had had the glorious privilege of serving at the Battle of Lexington. It is a great State, Georgia, but when they can make provision solemnly for permitting men of at least 126 years of age at a minimum to vote, I take off my hat to Georgia. [Laughter.]

I can well understand why it is necessary in Georgia, where they have such extraordinary persons to vote, to have the following provision in the law. I do not believe there is a provision like what I am going to read to you in any other State in the Union, and I read it without comment. I think it is a good law, but I would not say it was necessary even in Georgia:

SEC. 438. Liquors not to be carried to places of divine worship.

[Laughter.]

If any person shall carry to a church or other place where the people have assembled for divine worship any liquor or intoxicating drink, or shall keep or have in his possession, custody, or control any intoxicating liquor at such place, he shall be guilty of a misdemeanor.

We all agree with that; but we do not have to pass a law of that kind—thank God—in Maryland. Perhaps this law goes back to the days of the Puritan clergy. The churches were cold when Mr. URSHAW's Revolutionary voters were young; and I know that my own great-grandfather always took a little New England rum and water in the pulpit with him in his church, where for 64 years he preached an awful cold doctrine in New England [laughter]; but I do not believe they found it necessary to have a law to prevent the congregation from drinking in church.

The first privileged Georgia voter class is composed of those who have Revolutionary records. Well, thank the Lord, I happen to be a member of the Society of the Cincinnati because somebody got wounded at Bunker Hill, and therefore I could vote in the gentleman's State. My children could vote in his State.

Or in the War of 1812.

Now, that is a fine bunch of veterans—minimum age, 110 years.

Or in the war with Mexico.

We are now coming down to the sterling, strong, young manhood of Georgia, the kind that sits in this House. [Laughter.]

Or in any war with the Indians.

You know I can understand now why they prize so much in Georgia the Society of Colonial Wars and the Revolutionary societies and other patriotic societies. It is a badge of peerage; it is a badge of the right to vote.

Or who honorably served in the land or naval forces of the Confederate States.

Well, I could get in under that provision through a great uncle.

Or of the State of Georgia in the War between the States.

Now, gentlemen, here is the famous—I will not say grandfather clause, because this is a great-great-grandfather clause. It goes back to the Revolutionary War, although it was passed in 1908. Let us read the next section of those who can vote in Georgia.

All persons lawfully descended from those embraced in the classes enumerated in the subdivision next above.

There is your grandfather clause. That grandfather clause is absolutely illegal. Nobody has ever tried to upset it in Georgia because, as I have said, the people of the United States apparently are acquiescent in the situation, and standing as I do with that great exponent of State rights who spoke here the other day, Representative TUCKER, of Virginia, I am inclined to let the States fix their own suffrage matters, but they can not eat their cake and have it too.

Mr. BLANTON. Will the gentleman yield now?

Mr. HILL of Maryland. I will yield in just a moment. I will pass this Georgia statute over to the gentleman. [Laughter.]

Mr. BLANTON. I wanted to ask the gentleman a question.

Mr. HILL of Maryland. In just a moment. I desire now to call the attention of the House—and I only have 15 minutes more, have I not, Mr. Speaker?

The SPEAKER pro tempore. The gentleman has 15 minutes.

Mr. HILL of Maryland. I will be brief because I do wish to yield to questions, but I want to refer to two cases. In Maryland, a law-abiding State, we obey the law. I notice that the gentleman from Georgia [Mr. URSHAW] the other day attacked most bitterly the people of Maryland.

He said that all of the "best people" of Maryland were throttled by the thugs in Baltimore city. If the "best people" of Maryland are in the gentleman's opinion on a par with the people who passed this legislation creating the great-great-grandfather clause, thank the Lord that I am not one of the "best people" of Maryland. I do not know whom the gentleman means by the "best people." I am sure that he does not mean me.

I do, however, desire to call his attention to an opinion of one of the very best judges who ever sat on any circuit bench, Judge Morris. I refer to the case of Anderson v. Meyers, to be found in Federal Reporter, volume 182, page 223, argued in 1910. The case was argued by former Attorney General Charles J. Bonaparte, former United States Attorney William L. Marbury, and various other distinguished counsel. I shall read only the headline. I wish I had time to read the rest of it, but when I get through with this headline I am going to pass the book over to that distinguished keeper of my stable, who has my snow-white charger in hand, the gentleman from Texas [Mr. BLANTON], and let him look at it so that he can speak of it in the two minutes that he has in which to follow me. I will say that the gentleman from Texas not only was a good judge, but he is a good lawyer. He may not be a judge always of certain things, but where he is a judge he is a good judge.

The law laid down in Anderson v. Meyers is as follows:

Acts Maryland, 1908, chapter 525, prescribing the qualifications of voters at municipal elections in the city of Annapolis declares that the register shall register all male citizens of 21 years or over having resided in the city for one year not convicted of a crime and assessed on the city tax books for at least \$500, also all duly naturalized

citizens of 21 years of age, all citizens who prior to January 1, 1868, were entitled to vote in Maryland or any other State at a State election, and all lawful male descendants of any person who prior to January 1, 1868, was entitled to vote in Maryland or in any other State of the United States at a State election, provided that no person not coming within one of the enumerated classes should be registered as a legal voter in the city or be qualified to vote at any municipal election held therein. Held that though such act did not provide a race or color disqualification in terms it nevertheless effectually disfranchised and discriminated against negroes and was therefore unconstitutional as violating the Constitution of the United States, amendment 15.

I may say, by the way, I was born in Annapolis, and my grandfather was first president of the temperance society in Annapolis. Under this decision the election provisions of Georgia, under which the gentleman sits, are absolutely illegal for any purpose, if anyone would take the trouble to upset them. Not only did the United States court hold that law invalid, not only would they hold the Georgia law invalid if it were taken up for test, but I personally, as United States district attorney in the Stone case, indicted and convicted three men under the fourteenth and fifteenth amendments to the Constitution, one indictment under the fourteenth and one under the fifteenth, under the existing laws for the enforcement of those amendments. The gentleman from Georgia the other day said that there was no law to enforce the fourteenth and fifteenth amendments. I know that to the gentleman from Georgia [Mr. UPSHAW] there is one law only, and that is the Volstead Act; but in the worship for that great Mohammedan piece of legislation—Allah is Allah, Volstead is Volstead—I suggest that the gentleman from Georgia when he says "Allah is Allah," and at noon goes down upon his prayer rug to the Volstead Act, will not forget that there are laws to enforce the fourteenth and fifteenth amendments.

In the Stone case we indicted and convicted in Maryland three men who had acted in elections under what was known as the Wilson Act, because they put the names of the candidates for Congress in 1910 upon the ballot in such a way as to disfranchise the illiterate negro and illiterate white voters. That was absolutely illegal, and so you have the 1908 election laws of Georgia illegal. You have a decision by the United States court that such a provision as the grandfather clause is illegal, and you have another case in which individuals were indicted and convicted under the fourteenth and fifteenth amendments.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. HILL of Maryland. In just one moment. I am not quite through with this.

That is the first part of what I wish to say. I shall take now four minutes in treating the second part, and then will be glad to yield to the gentleman from Texas. I hold in my hand my letter to the gentleman from Georgia, in which I say that I deeply deplore the violations of the Volstead Act. I deplore the Volstead Act and anything at all connected with it. If you deplore a law, you naturally deplore the violations of the law in addition to your natural deploration of all violations of law; but I want now to ask the gentleman why he does not keep his homemade hooch at home? I am going to call to your attention a few of the many scattered newspaper reports that I have from the great State of Georgia.

See how they spent New Year's in the gentleman's district:

(From the New York Evening World, January 2, 1924.)

(Special to the Evening World.)

ATLANTA, GA., January 2.—New Year's celebration in Atlanta gave considerable basis for the statement attributed to Izzy Einstein that a stranger in Atlanta can secure a supply of liquor within 17 minutes after arriving in town. Festivities in clubs, cafés, hotels, restaurants, and on the streets last night were marked by consumption of liquor on a large scale.

The police were inclined to be lenient with the merry-makers and the percentage of arrests was little above normal. At the semipublic social functions the flowing bowl was much in evidence.

Note what the Atlanta paper says, the great Atlanta Constitution, on the subject of Georgia hooch:

"HOMEMADE" HOOCH.

The daily newspapers these days are gazetteers of crime.

The wave is sweeping over the country like a cataclysm of disregard for law and order and for the sacredness of human life.

Georgia is, unfortunately, in the very heart of the wave.

The situation in this State is a veritable concatenation of homicide, tragedy, bloodshed.

In the Atlanta newspapers of Sunday the public was told of the murder of a son by a father who, in turn, was fatally wounded by a bullet from the dying man. "Under the influence of liquor," read the story.

A county officer, in the discharge of his duty, was shot to death by an alleged negro bootlegger.

A prominent business man was instantly killed when an automobile collided with a street car in the heart of the city. "The driver, who was not killed, is alleged to have been intoxicated," read the story.

And thus ran the entire news sections of the papers, surfeited with crime news, most, if not all, of the homicides and accidents and tragedies being traced to liquor.

In the meantime the governors of the States met with President Coolidge to discuss enforcement of the prohibition laws.

The prohibition leaders meet among themselves, and resolutions denouncing the smuggling of liquors from Canada and Europe and the Bahamas and Mexico and Cuba are passed, and the Government is called upon to strengthen its border patrols that the flow of foreign liquors into this country may be lessened, if not arrested.

That is right. Smuggling should be stopped. The law should be as sacred in one respect as another.

It should be enforced in all respects.

But while the Anti-Saloon League propagandists are taking up collections for maintaining their organization and sustaining the workers in Washington and elsewhere, and while enforcement officials are straining their nerves to stop the inflow of importations, and factions and even nations dispute about the "3-mile limit," or some other proposed limit from the ocean's shores, this cyclone of crime continues, and it is not caused by foreign liquors to any appreciable extent, nor is it influenced by the "wet" politicians or the "dry" politicians.

It is caused by the home-brew that is being made everywhere—on the kitchen stoves, in the back rooms and shed rooms of the country, town, and city, as well as in the fastnesses of the mountains, and in the underbrush of the coastal plains.

It is the homemade hooch that is doing the damage, and while foreign liquors should be kept out of this country, as every feature of the law should be strictly enforced, that is not the base of the problem by any means. The tragedy follows in the wake of the dispenser of the "homemade hooch."

I wish the gentleman and his colleagues from Georgia would stand up on the floor of the House and take the pledge which the Gentleman from Georgia wants us to take, never again to touch the flowing bowl, legal or illegal. When he and his colleagues do that, then I shall follow them and give up rum until we modify the Volstead Act—but let Georgia lead the way. Let those who vote "dry" eschew even the legal forms of the pleasant titillation. I call attention now to a pathetic episode, the attack of the rurales on Washington!

FLOOD OF MOONSHINE READY TO DROWN DRY CHRISTMAS—BOAST OF REVENUE MEN TO MOP UP WET CHEER BEING ANSWERED BY MOUNTAINERS WITH ARMY OF STILLS GOING FULL BLAST.

[From the Evening Sun (Baltimore), December 22, 1923.]

(Special dispatch to The Evening Sun.)

BRISTOL, VA., December 22.—Santa Claus is generally credited with being the busiest of individuals about this season of the year, but he has little on the average moonshiner of the Appalachian Mountains. For on the moonshiner's shoulders has fallen the burden of producing a large part of the Christmas whisky consumed in the United States. And right manfully he has tackled the job.

"MOUNTAIN DEW" SPREADING TO LOWLANDS.

The handful of revenue officers bucking the game of the moonshiners announced a few weeks ago this was going to be a "dry" Christmas. The moonshiners just now are too busy to answer such assertions, but their actions speak louder than words. They are saying it with booze—a gurgling, splashing flood of fiery white "mountain dew" that already has begun wending its way toward the centers of population.

The moonshiners—and their name is legion in every backwoods thicket and cove—are operating on an unprecedented scale to meet the terrific strain of the Christmas demand. The output this month will be tremendous. No one actually knows how much. But countless stills on every range, in every section, are being pushed to capacity production.

Much of the liquor manufactured in the mountains this month will reach consumers in New York, Washington, and other big cities of the East. Agents for the middlemen in these places already have visited mountain communities to place their orders. Cut off from seagoing rum-runners by governmental activities, they have turned to the mountains, where the problem is solved at a glance. Women and children are helping meet the situation in many places, reports reaching here say.

If the revenue agents center their efforts on watchful waiting on the highways the next few days they are almost certain to mop up. Whisky cars bearing loads of "little boys," "big boys," jars, and kegs will choke every road. The stuff has to be moved somehow, and, generally speaking, caution will be cast to the winds. All roads will lead to the market.

I wonder what is the reason that one of the planks in the gentleman from Georgia's program is that all aliens in these United States who violate the Volstead Act are to be deported? Why does he not let them be deported whenever they violate any law? There are other laws as well as the Volstead Act, and I wonder if the immigration suggestion by the gentleman has anything to do with this letter I received.

2621 PEACHTREE ROAD, Atlanta, Ga.

MY DEAR FELLOW CITIZEN: Knowing your interest in vital public affairs, I make bold to invite your attention to the inclosed address on "The Menace of Modern Immigration." In this I have tried to bring home a realization of what immigration has meant and will mean to our national life.

Inasmuch as the existing "quota law" expires next June 30, this all-important matter must be considered by the present Congress. You will agree, I am sure, that it is the duty of all Americans to understand the problem and to assist in every way possible in the adoption of a sound, kindly, permanent policy.

My chief object in placing the matter before you is to seek your constructive criticism of the position I have taken. Will you not let me have your best thought on the subject?

Very truly,

H. A. EVANS.  
Imperial Wizard.

I wonder if this letter had anything to do with the gentleman's attack on the alien?

Mr. BLANTON. Will the gentleman yield?

Mr. HILL of Maryland. Just one word. I have four more minutes remaining.

Now the following. It shows the condition of the Volstead Act in Georgia:

TWENTY-FOUR SENT TO PRISON AND FINED \$150,500 FOR DRY-LAW PLOT—PRISONERS AGREE TO PLEAD GUILTY IN INCOME-TAX CASES AGAINST THEM—TRACED BY FAILURE TO DECLARE PROFITS—SIX MEN ARRESTED IN NEW JERSEY ALLEGED TO HAVE RUN RUM SHIP.

[From the Washington Post, Saturday, December 8, 1923.]

SAVANNAH, December 7.—Judge Barrett in the Federal court to-day sentenced 24 defendants convicted on conspiracy and other prohibition charges to pay fines totalling \$150,500 and to serve terms in the Federal penitentiary. All of those convicted and sentenced figured in the wholesale round-up instigated by Federal and State officers here more than a month ago, in which the Government contended an international liquor plot had been uncovered. The majority of those receiving the penalties are well-known Savannah men. The sentences ranged from \$500 to \$10,000 fines and from one to two years in the penitentiary.

Those receiving sentences included Fred H. Haar, sr., \$10,000 fine and one year in the Federal penitentiary; his three sons, F. H. Haar, jr., William H., and Carl, each were sentenced to two years' imprisonment and \$10,000.

C. Graham Baughn was fined \$15,000 and given one year sentence on each of two charges, the time to run concurrently.

J. H. Thomas was fined \$10,000 and sentenced to one year's imprisonment on each of two charges, the time to run concurrently.

Others receiving sentences of two years' imprisonment and \$10,000 fines were Richard Bailey, C. C. Tuten, J. F. Williams, Sam Goldberg, and Homer V. Evans.

J. H. Bailey was sentenced to one year in the penitentiary and \$10,000 fine, and H. A. McInnes six months in jail and \$10,000 fine.

Here is more of the same. Atlanta and Savannah exchange "hootch":

HOOTCH BROUGHT BACK TO SAVANNAH.

[From the Thomasville (Ga.) Enterprise, November 9, 1922.]

SAVANNAH, GA., November —.—The "hootch" which was sent to Atlanta for safe-keeping several months ago has been returned to Savannah to be used as evidence in the conspiracy cases which will come up in Federal court here. The liquors ranged from the ordinary kinds of whisky to the most expensive and finest wines obtainable either from foreign or domestic sources.

And the pocket flask! Read this. Can you think of it in Savannah, Ga.

PASTORS FIGHT DISPLAY OF FLASKS.

[From the Fort Worth Star-Telegraph, December 9, 1923.]

(By International News Service.)

ATLANTA, December 8.—"Hip-pocket flasks are suggestive and should not be displayed in show windows."

Thus declared the Evangelical Ministers' Association of this city recently as it went on record deploring the displaying of flasks in show windows.

Just prior to every football game that has been played in Atlanta this season certain local concerns have placed flasks in their show windows, accompanied by neat little signs suggesting that they were "good things to have at football games."

The ministers, in the draft of the resolution, declared that such action "is subversive to law enforcement and detrimental to the welfare of our young men." The resolution was passed without a dissenting voice.

Now think of this in sanctified Atlanta!

STILL IN HOUSE WHEN HIRED, WOMAN USED IT, IS ARRESTED.

ATLANTA, GA., November 30.—What the police classed as an "elaborate distillery" was found in a house owned by Mrs. Elizabeth Tyler Grow, a former associate of E. Y. Clarke in the propagation department of the Knights of the Ku-Klux Klan, it was announced. Mrs. Elfrieda Wagner, who occupied the house, is under arrest charged with violating the prohibition law.

Mrs. Wagner, according to a story published to-day in the Atlanta Journal, said the still was in the basement of the house when she rented it on September 1 from Mrs. Grow.

"I got a recipe," Mrs. Wagner is quoted as saying, "for corn whisky, which seems to be the national drink down here. I had made 3½ gallons, the amount the officers found, and I haven't made any more."

I knew something about the Ku-Klux Klan, but I did not think it drank. Last year, I remember, they were preparing to aid the Roy Haynes prohibition unit in making raids. You see the lady of Georgia states she had a recipe for corn whisky. That seems to be the national drink down in Georgia, she says.

Mr. BLANTON. Will the gentleman yield?

Mr. HILL of Maryland. One more word and then I will.

Here are four more of the evidences of liquor lawlessness in Georgia. I have many more, but these are enough:

ARRESTED—CHARGED WITH BEING DRUNK ON STREETS.

[From the News and Courier, Charleston, S. C., October 18, 1923.]

ATLANTA, October 17.—The ———, known as the Imperial kludd of the Ku-Klux-Klan, and former pastor of an Atlanta church, was arrested here late to-day by the police on a charge of being drunk and operating an automobile. The arrest was made by Motor Cycle Officer L. E. Shumate, who said that in the machine driven by ——— were two small bottles of whisky.

At the police station ——— stated that he had driven out into the country when he was accosted by a man who offered to give him some whisky. He stated that he accepted the whisky and before starting to town he took a drink.

Officer Shumate, who made the arrest, said he saw the automobile zigzagging down Peachtree Street, one of the main thoroughfares, and stopped it, and, finding ——— apparently under the influence of liquor, arrested him. ———, the officer said, admitted having more liquor in the automobile and produced two small bottles.

INVESTIGATION AT SAVANNAH UNEARTHS CLUES OF GIGANTIC LIQUOR CONSPIRACY.

[From the Savannah Morning News.]

WASHINGTON, D. C., November 21.—As a consequence of the liquor raids and resulting grand jury investigations at Savannah, Ga., in which indictments have been returned against 126 defendants in different sections of the country, an official spokesman declared to-night that the Government is prepared to "comb the entire eastern seaboard and confidently expects the gathering in "of those who have financed one of the most gigantic combinations known, either legally or illegally." The Savannah indictments were described as "only the beginning." Others are to follow, it was stated, as fast as information obtained at Savannah can be made effective in other parts of the country as far west as Pittsburgh.

During the grand jury investigation at Savannah, it was said, Federal agents were supplied with information gleaned from witnesses and were set at work at once in following new clues. Some of these, it was stated, provided the Department of Justice with evidence of new combinations and conspiracies and underground connections with the alleged ring developed in the Savannah inquiry.

Clues developed at Savannah have led mainly to New York, Philadelphia, the Chesapeake capital, and Charleston, S. C., but between these points and into the interior as far as Pittsburgh the chain of evidence has been found to be unbroken, and the operatives who have been delving into the conspiracies feel that they soon can uncover "some widely known persons who hitherto have been able to keep in the background."

The department declined to hint at the identity of any of the persons indicted at Savannah, but the statement was made that these in-

dictments could be considered as important from the standpoint of those about whom the Government agents are striving to tighten their nets.

Officials explained that the evidence involving rum runners and smugglers involved some foreigners, residents in the United States. These largely were English and Canadians, it was added, but the testimony obtained at Savannah provided the Government with definite facts as to methods employed by all rum runners in getting the contraband ashore. In this respect, it was stated, the information has been highly important to the prohibition enforcement corps.

William J. Burns, chief of the department's Bureau of Investigation, said the Government was prepared to continue "at bat" and that the entering wedge of the clean-up program had been successful. Working under direction of Mrs. Mabel Willebrandt, Assistant Attorney General, Mr. Burns has laid out a winter's work in stamping out illicit liquor dealing. He asserted that the plans should be sufficient to convince anyone of the Government's intention to enforce the dry law.

#### DRY AGENTS ASK FOR PROTECTION.

BALTIMORE, November 21.—Prohibition Agents Jonathan Paul and J. H. Estes to-day appealed to Assistant United States District Attorney Fisher for protection and aid in arresting men who they say have made threats against their lives and that of Michael Subsera, another agent.

Paul and Estes, members of the Washington flying squad, also say they have learned that local bootleggers have formed a \$10,000 fund for the man or men who kill them.

Authorities are inclined to believe that the threats were made merely to frighten the agents, who have figured in several sensational raids on clubs and hotels recently, and doubt the existence of the "blood money" pool.

#### LIQUOR INDICTMENTS IN DECATUR COUNTY—ONLY ONE MURDER BILL—SULLIVAN RELEASED AFTER KILLING NELSON BRUTON.

[From the Savannah Morning News.]

BAINBRIDGE, Ga., November 22.—Two-thirds of the true bills from the grand jury of this November term of superior court were for whisky making.

A bill for murder was returned against Conrad Harrell, who is out on a \$5,000 bond for fatally shooting Herschel T. Nazworth, 23, World War veteran, in July in the Harrell home in the extreme northeastern part of the county.

Young Nazworth was from Whigham and had been dismissed from the army of occupation only a short while when the shooting on the 17th of July resulted in his death. The case will be tried this week. One murder case of a negro has been dismissed, one is being heard, and that of Mansfield Fleming, another negro, will complete the court's work for this term on Saturday. The grand jury closed its session to-day till the first week in December on account of Solicitor Gardner being too busy in the court room to be with that body.

#### SCHOOL TAXES HIT GEORGIA A BLOW.

(By Rebecca Felton.)

[From the New York Tribune, Dec. 23, 1923.]

In Georgia we adopted free schools in 1871. The plea was made that it was more humane to prevent crime through educating our young people than to pay millions to convict and punish criminals, to keep up courts of justice and penitentiaries, and everybody recognizes that it is fair and just to give to the poor children a living chance in the battle of life—children whose parents are too poor or too indifferent or too ignorant themselves to appreciate the value of the "three R's" to the coming voters.

All this is water that long ago "went under the wheel." We have had the whole thing thoroughly tested in my native State. To-day the courts are not able to transact ordinary business of the legal variety because they are swamped with trials for murder, bootlegging, and other crimes. Human life is the only cheap thing in the Empire State of the South. Generally lawlessness prevails, violence is rampant, and every legislature has to provide more judges, to hold more courts, and to demand more tax money to feed the convicts in the chain gangs, the jails, and the State prison.

Now, gentlemen, I ask unanimous consent to put these clippings in and then I will yield to the gentleman from Texas.

The SPEAKER pro tempore. The gentleman from Maryland asks unanimous consent to insert in the Record the newspaper clippings. Is there objection? [After a pause.] The Chair hears none.

Mr. BLANTON. Now, will the gentleman yield?

Mr. HILL of Maryland. I ask unanimous consent to revise and extend my remarks.

The SPEAKER pro tempore. The gentleman from Maryland asks unanimous consent to revise and extend his remarks. Is there objection?

Mr. BLANTON. Mr. Speaker, reserving the right to object—

Mr. HILL of Maryland. I am not going to put a lot of things in.

Mr. BLANTON. And I am sure I shall not object, but I wanted to know whether or not the gentleman was willing to answer a question before he concludes this 45-minute debate?

Mr. HILL of Maryland. I am; I will answer anything the gentleman desires.

Mr. BLANTON. Will the gentleman yield?

Mr. HILL of Maryland. I will.

The SPEAKER pro tempore. Is there any objection to the request to revise and extend his remarks? [After a pause.] The Chair hears none.

Mr. HILL of Maryland. How much time have I remaining?

The SPEAKER pro tempore. The gentleman has one minute.

Mr. HILL of Maryland. I will yield a half minute.

Mr. BLANTON. I take it for granted by his attack upon the alleged conditions in Georgia the gentleman is against the nullification of our Constitution?

Mr. HILL of Maryland. I am.

Mr. BLANTON. Then, by asserting that two phases of the Constitution might be violated the gentleman does not contend that two wrongs would make a right?

Mr. HILL of Maryland. No; he does not.

Mr. BLANTON. The gentleman is still in favor of the Constitution?

Mr. HILL of Maryland. Yes, sir; absolutely. I am in favor of the enforcement of the Constitution. [Applause.]

The reason I brought up this question was this: I have stood for a long time all kinds of attacks from Wayne B. Wheeler and the gentleman from Georgia [Mr. UPSHAW] because I honestly fought on the floor of this House for a decent law. You are not going to repeal the eighteenth amendment; but if you want prohibition, gentlemen, do not try to cram it down the throat of this Nation from a bureaucratic center here. I heard the speech of the gentleman from Virginia [Mr. TUCKER], and I never heard a better speech than that. I have been attacked so many times as a nullificationist because I attacked the eighteenth amendment that I want the House to realize that the nullificationists are those who, like the gentleman from Georgia [Mr. UPSHAW], sit in violation of the Constitution, and those of the Anti-Saloon League who enjoy the results of his votes.

Mr. BLANTON. I ask unanimous consent that the gentleman's time be extended two minutes, so that he may answer a pertinent question that the gentleman from Michigan [Mr. CRAMTON] may ask him. No; I ask unanimous consent that his time be extended five minutes.

The SPEAKER pro tempore. The gentleman from Texas asks unanimous consent that the time of the gentleman from Maryland be extended five minutes. Is there objection?

Mr. UPSHAW. Mr. Speaker, I ask that it be made 10 minutes.

Mr. HILL of Maryland. I thank my friend. I asked the other day that he get 20 minutes more. I asked for 40 minutes in all for him.

The SPEAKER pro tempore. The gentleman from Texas asks unanimous consent that the time of the gentleman from Maryland be extended 10 minutes. Is there objection?

There was no objection.

Mr. HILL of Maryland. I yield to the gentleman from Michigan, a man without fear and without reproach, an honest prohibitionist, who never took a drink in his life. [Applause.]

Mr. CRAMTON. The gentleman from Maryland has said that he is against nullification of any part of the Constitution, and is for enforcement of the law. The gentleman introduced a bill in the last Congress, if not in this, for the repeal of the Volstead Act; he has declared against any Federal act for the enforcement of the eighteenth amendment, and in his own State he has led in the fight before the State legislature to prevent the enactment of any State law for the enforcement of national prohibition. Then how in the world does the gentleman expect the Constitution to be enforced if there is no law, State or national, for its enforcement?

And, further, is not a failure to provide any law for the enforcement of the eighteenth amendment equivalent to a nullification of the Constitution? [Applause.]

Mr. HILL of Maryland. Now, Mr. Speaker, I am very glad that the gentleman has asked that question. It is an absolutely fair question. We have all thought of how we could attempt the enforcement of the eighteenth amendment. I did introduce

a bill to repeal the Volstead Act. I am sorry it has not yet passed. I hope it will pass. I am opposed to the enactment of a State Volstead Act, and I have created a situation in Maryland where I hope to get a decision in April from the United States court on what the crooked Volstead Act means, because the crooked Volstead Act is dishonest in itself and in section 29 carries a crooked provision, and in the words of Roy B. Haynes—and I have here full memoranda of the case of the United States v. Hill—I have the word of Roy B. Haynes himself to the effect that Congress intended to exempt from the operation of the Volstead Act those who drank cider and home-made wine; and the assistant superintendent of the Anti-Saloon League in Maryland said that the farmer could let his cider get intoxicating and drink it, because it did not come under the terms of the Volstead Act. I believe in the same standard being enforced in the cities and in the country, and of course I am opposed to that double and crooked standard being put into the laws of Maryland.

Years ago the American Express Co. refused to ship liquor into West Virginia. I advised the company not to do so, and the contest was made on my advice in which the constitutionality of the Webb-Kenyon Act was sustained. I am for the Webb-Kenyon Act. If Georgia wants to send liquor into other States, do not let it do it; if New York or Maryland or other States desire to have beverages with 2 or 3 or 4, or more, per cent of alcohol, I am in favor of their doing it. Mr. Volstead himself has stated that 3 per cent was legal in cider.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. HILL of Maryland. Yes.

Mr. BLANTON. But where the United States Government speaks in its fundamental law on this question what says the gentleman? Is not the eighteenth amendment the fundamental law of the land?

Mr. HILL of Maryland. Yes.

Mr. BLANTON. And it says Congress shall pass a law to enforce that amendment.

Mr. HILL of Maryland. Yes.

Mr. BLANTON. Congress has done that, and yet the gentleman seeks to interfere with the working of the Constitution, which is fundamental law, by doing away with the enforcement act.

Mr. HILL of Maryland. I would like to see the Volstead Act repealed.

Mr. BLANTON. The gentleman says that because he wants to get liquor. [Laughter.]

Mr. HILL of Maryland. Oh, I will say to the gentleman that he can get all the liquor he wants, and everybody can get it. [Laughter.]

Mr. CRAMTON. What the gentleman from Maryland says in answer to my question is interesting if true, but not responsive. I want to make myself perfectly clear. I did not refer to the enactment of the Volstead Act in Maryland, but I did refer to the fact that the gentleman led the fight against the enactment of any law in Maryland to procure the enforcement of the eighteenth amendment.

Mr. HILL of Maryland. There will not be any enforcement act in Maryland in the next three years, I might say to the gentleman. We beat them by 40,000.

Now in reference to the sincerity of my position on this question I want to say that before the Economic Club of New York in January, 1923, I proposed seriously this substitute for the eighteenth amendment, which I think answers the question of the gentleman from Michigan [Mr. CRAMTON]. I want to answer his question sincerely, and I propose for your consideration the following substitute for the Volstead Act.

Mr. HUDSON. Mr. Speaker, will the gentleman yield?

Mr. HILL of Maryland. Yes.

Mr. HUDSON. Did I understand that you wanted the House to understand that you led the fight in Maryland that resulted in the Maryland Legislature refusing to pass any law to sustain the eighteenth amendment?

Mr. HILL of Maryland. I helped. I do not want to claim all the credit.

Mr. HUDSON. So that Maryland to-day is not to be a part of the United States in the matter of the enforcement of a constitutional law? [Applause.]

Mr. HILL of Maryland. No. In Maryland to-day we follow the Constitution without talking blindly about articles of which we know nothing. We claim that we can pass concurrent legislation in Maryland if desirable. [Cries of "No! No!"]

Let me have a House Manual, please.

Mr. HUDSON. Are the words "if desirable" in the Constitution?

Mr. HILL of Maryland. No; "if desirable" is my interpretation. I would like to read to the gentleman the eighteenth amendment, if I can get one, and I ask the gentleman's attention to what I am about to read, because seriously I think perhaps the gentleman might be willing to agree that this represents a fair enforcement of the eighteenth amendment. This is a proposal that has not yet been offered in the House.

In New York in January, 1923, I said:

The Volstead Act is one of many possible efforts at enforcement, but enforcement itself is the sole method of making the prohibition of the eighteenth amendment effective. Therefore, unless we agree to put the eighteenth amendment in the same ineffective class as the fourteenth amendment we must have some form of enforcement, but we need not adhere to that method offered by the Volstead Act.

I propose for your consideration the following substitute for the Volstead Act:

Repeal the Volstead Act and enact the following:

"SECTION 1. Each State shall for itself define the meaning of the words 'intoxicating liquors' as used in section 1 of Article XVIII of the amendments to the Constitution of the United States, and each State shall itself enforce within its own limits its own laws on this subject.

"SEC. 2. Any person who transports or causes to be transported into any State any beverage prohibited by such State as being 'intoxicating liquor' shall be punished by the United States by imprisonment for not more than 10 years or by a fine of not less than \$10,000 nor more than \$100,000, or by both such fine and imprisonment."

The first section of this proposed enforcement act is based on the theory of local option; the second section is based on the Webb-Kenyon Act, by which the United States guarantees the States from outside interference. The proposed substitute, taken as a whole, permits concurrent action each in their own sphere by the United States and by the individual States to carry out the provisions of the eighteenth amendment.

In 1907 the Anti-Saloon League approved my declaration for local option, made as a candidate for the Maryland Legislature. In 1914 I advised the American Express Co. that the Webb-Kenyon Act was constitutional, and that they should not ship liquor into West Virginia.

The Supreme Court sustained my view, and Mr. Wheeler successfully argued that view in the Supreme Court in the appeal in the cases of the Clark Distilling Co. against the Western Maryland Railway Co. and the State of West Virginia, and the Clark Distilling Co. against my client, the American Express Co., and the State of West Virginia, which cases were decided in 1917.

This is an attempt to honestly enforce the Webb-Kenyon Act, which I helped to have declared constitutional.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HILL of Maryland. May I have a quarter of a minute additional?

The SPEAKER pro tempore. The gentleman from Maryland [Mr. HILL] asks unanimous consent to continue for an additional one-quarter of a minute. Is there objection?

There was no objection.

Mr. SUMMERS of Washington. I ask unanimous consent that the gentleman have a half minute, because I would like to ask him a question.

The SPEAKER pro tempore. The gentleman from Washington [Mr. SUMMERS] asks unanimous consent that the gentleman from Maryland [Mr. HILL] may have an additional one-half minute. Is there objection?

There was no objection.

Mr. DYER. How much time does the gentleman need?

Mr. HILL of Maryland. The gentleman needs only a quarter of a minute.

Mr. DYER. I ask unanimous consent that the time from now until 5 o'clock be divided equally between the gentleman from Maryland [Mr. HILL] and the gentleman from Georgia [Mr. UPSHAW]. [Applause.]

Mr. LANGLEY. Some of us on this side of the House did not quite understand whether the gentleman said he wanted a quart for a minute or a quarter of a minute.

Mr. HILL of Maryland. I am glad the gentleman asked that question. In the House of Representatives and in the House Office Building I treat only in quarters of minutes, but at my home I deal in quarts, and I shall be glad to see the gentleman there at any time.

The SPEAKER pro tempore. The time of the gentleman from Maryland [Mr. HILL] has again expired.

Mr. COOPER of Ohio. Mr. Speaker, I ask that the gentleman's time be extended one minute in order that I may ask him a question. He is a neighbor of mine and I know he will be glad to yield.

The SPEAKER pro tempore. The gentleman from Ohio [Mr. COOPER] requests that the time of the gentleman from Maryland [Mr. HILL] be extended one minute. Is there objection?

There was no objection.

Mr. COOPER of Ohio. I would like to ask the gentleman from Maryland [Mr. HILL] if a law were passed, such as he recommends, which gives each State the power to place its own construction on the eighteenth amendment, and the State of Maryland passes a law permitting the sale of 15 per cent beer, would that be in violation of the eighteenth amendment to our Constitution?

Mr. HILL of Maryland. I am inclined to think that perhaps the Supreme Court might say 15 per cent beer was; I do not know; that is a matter for the Supreme Court. Any law which was passed by the States would necessarily have to be passed under the eighteenth amendment and would have to bear the test of the Supreme Court. Now, last year Mr. Volstead himself, before the Rules Committee, said that 3 per cent of alcohol in apple juice was not intoxicating.

Mr. SUMMERS of Washington. Will the gentleman yield?

Mr. HILL of Maryland. Yes.

Mr. SUMMERS of Washington. The gentleman proposes that each State interpret the eighteenth amendment for itself. Is that plan followed as to any other amendment to the Constitution or the Constitution itself?

Mr. HILL of Maryland. I will answer that question. In the first place I did not say "interpret," because the Supreme Court must interpret the eighteenth amendment and all legislation covered by it.

Mr. SUMMERS of Washington. What is your language?

Mr. HILL of Maryland. My language is that each State shall for itself define the meaning of the words "intoxicating liquors."

Mr. SUMMERS of Washington. That is the same thing.

Mr. HILL of Maryland. No; that is subject to the review of the Supreme Court.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. HILL of Maryland. Gentlemen, I want to thank you very much for the extension of time, and I hope the gentleman from Georgia [Mr. UPSHAW] will address the House for the rest of the afternoon on the veteran voters of the Revolution. [Applause.]

The SPEAKER pro tempore. The gentleman from Texas [Mr. BLANTON] is now recognized for two minutes.

#### VIEWS OF EMMA GOLDMAN ON SOVIET RUSSIA.

Mr. BLANTON. Mr. Speaker, the gentleman from Maryland [Mr. HILL] having agreed with me that there should be no nullification whatever of our Constitution, I shall devote my two minutes of time to the discussion of another matter.

I hold in my hand a pamphlet received by me in this morning's mail entitled "Attempt by communists to seize the American labor movement," printed by the International Union of the United Mine Workers of America, Indianapolis, Ind., and the preface of which reads as follows:

This series of six articles was prepared by the United Mine Workers of America, disclosing the attempt that is being made by the Red forces, under the direct supervision of Moscow, to seize control of the organized labor movement of America and use it as the base from which to carry on the communist effort for the overthrow of the American Government. These articles are the result of an independent searching investigation on the part of the United Mine Workers of America, which led directly to original sources.

Until we deported her from the United States to Russia Emma Goldman was the principal evangel of the communists, daily preaching Soviet Russia to the people of the United States.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BLANTON. I ask for two additional minutes in order to finish this little comment.

The SPEAKER pro tempore. The gentleman from Texas [Mr. BLANTON] asks unanimous consent to proceed for an additional two minutes. Is there objection?

There was no objection.

Mr. BLANTON. After we sent her to Russia Emma Goldman spent two years there closely studying conditions in the Soviet Government. Let me quote a brief excerpt from a book which she has recently published. In it Emma Goldman says:

Two years of earnest study, investigation, and research convinced me that the great benefits brought to the Russian people by Bolshevism exist only on paper, painted in glowing colors to the masses of Europe

and America by efficient Bolshevik propaganda. As advertising wizards, the Bolsheviks excel anything the world had ever known before. But in reality the Russian people have gained nothing from the Bolshevik experiment.

The Russian workers soon were stripped of their power and placed under the industrial yoke of the Bolshevik State. Chattel slavery became the lot of the Russian proletariat. Try as I might, I could find nowhere any evidence of benefits received either by the workers or the peasants from the Bolshevik régime. On the other hand, I did find the revolutionary faith of the people broken, the spirit of solidarity crushed, the meaning of comradeship and mutual helpfulness distorted. The argument that destruction and terror are part of revolution I do not dispute. I have never denied that violence is inevitable, nor do I gainsay it now. Yet it is one thing to employ violence in combat as a means of defense. It is quite another thing to make a principle of terrorism, to institutionalize it, to assign it the most vital place in the social struggle. The Bolshevik State—even as the bourgeois industrial master—uses the sword and the gun to keep the people out. In the case of the Bolshevik this tyranny is masked by a world-stirring slogan; thus they have succeeded in blinding the masses.

That is what I want the gentleman from Maine [Mr. BEEDY] to answer to-morrow in his one hour's speech on Russia; that is what I want the gentleman from Wisconsin [Mr. FREAR] to answer, and that is what I want from every person in this Government who now takes issue with the Secretary of State, Mr. Hughes, on this proposition. However, I think they are questions on which the American people have already reached a decision. [Applause.]

#### INTERIOR DEPARTMENT APPROPRIATION BILL.

Mr. CRAMTON. Mr. Speaker, I wish to present a unanimous-consent request. On Wednesday the Committee on Appropriations hopes to be able to report to the House the Interior Department appropriation bill, to be taken up on Thursday, but I understand that Wednesday has been set aside for the Kitchen eulogies. Whether that report could be made on Wednesday or not I am not sure, and therefore I ask unanimous consent that it may be in order on Wednesday to present the Interior Department appropriation bill.

The SPEAKER pro tempore. The gentleman from Michigan [Mr. CRAMTON] makes the unanimous-consent request that on Wednesday the order which has already been established be varied enough to permit the filing of the report of the Committee on Appropriations on the Interior Department appropriation bill.

Mr. CRAMTON. Not to be taken up, of course.

Mr. GARRETT of Tennessee. Mr. Speaker, there is no objection, so far as I know, and I presume it will not require a further statement, so that at this time I reserve all points of order on the bill.

The SPEAKER pro tempore. Is there objection to the request made by the gentleman from Michigan [Mr. CRAMTON]?

There was no objection.

The SPEAKER pro tempore. The gentleman from Oklahoma [Mr. McKEOWN] is now recognized for 15 minutes.

#### TAX REDUCTION AND SOLDIERS' BONUS.

Mr. McKEOWN. Mr. Speaker and gentlemen of the House—

Mr. UPSHAW. Will the gentleman yield for a minute?

Mr. McKEOWN. Yes.

Mr. UPSHAW. He is very generous. I wish to ask unanimous consent that when the gentleman from Oklahoma concludes his address I may have 15 minutes.

The SPEAKER pro tempore. The gentleman from Georgia asks unanimous consent that he be granted 15 minutes at the conclusion of the remarks of the gentleman from Oklahoma [Mr. McKEOWN]. Is there objection? [After a pause.] The Chair hears none.

Mr. McKEOWN. Gentlemen, I simply rise to offer a suggestion to the House upon the question of procedure in disposing of two of the most important legislative questions to be determined at this session. The two most important questions to be determined are the question of adjusted compensation for soldiers of the late war and the question of taxation.

It would occur to me that a proper solution of these questions can be better served by first disposing of the soldiers' adjusted compensation bill, in order that we may know how to intelligently reduce the taxes of the country. Gentlemen, you need not expect to escape the proposition of adjusted compensation for the soldiers, because it has come back to this House like a great tidal wave after the disturbance of the economic condition of the country.

I favor an immediate reduction of taxes. I favor legislation that will be of assistance to the soldiers of the Spanish war

and of the World War. I do not believe it is in the hearts of the men of this House, nor is it the wish of a majority of the soldiers or of the people of this country, to pass laws for soldier adjusted compensation that will upset our economic condition so as to make it impossible to find employment for the veterans.

Here is a solution, as I view it, and I am offering it simply as a suggestion to you, because it is in the exchange of ideas in this House that proper legislation is passed. My idea is to follow along the beaten paths of the past, and in the past history of this House I have not yet found a single objection to military bounty for veterans of the past wars.

In a great speech in this House on January 24, 1913, by that gallant and grand old soldier, ISAAC R. SHERWOOD, who has ever been and is now one of the soldiers' best friends in Congress, I find valuable information on this subject which I insert here for the information of the House. In a speech made by Representative Smith, of South Carolina, in January, 1828, he said:

The truth is that the officers of your Revolutionary Army had been more liberally provided for than any other class of men in this or any other country. In addition to their pay during their time of actual service, they were promised half pay for life after they should retire from the Army, which was commuted for five years' full pay—which was a mighty stretch for a government at the dawn of its struggle for freedom—and were promised and received large tracts of valuable lands. Each officer, from a major general down to an ensign, had his lands, and that placed upon the most fertile spots. In addition to this, the Southern States gave their officers large tracts of the finest land in the world.

Virginia gave largely and liberally in lands to her officers. South Carolina did the same. North Carolina gave to each brigadier general 12,000 acres, to a colonel 7,200, to a captain 3,500, and to General Greene that State gave 25,000 acres that were said at one time to be worth \$500,000. To that meritorious officer Georgia gave \$22,500 in money, and South Carolina gave him \$45,000 in money. These were free-will offerings after the war was ended, which those States were prompted to make to exalted merit for distinguished services, and surely they would redeem the Carolinas and Georgia from the crying sin of ingratitude.

In 1828 the Congress of the United States passed a law retiring all soldiers of the War of the Revolution and all officers on full pay for life (on the maximum pay of a captain) who served for two years in the continental line. Four years later, in 1832, the Congress of the United States passed a law retiring for life on full pay (limited to the full pay of a captain) all the minute men, all the militia, and all the militia officers who served on and off for two years. In 1833, a year later, Congress modified and liberalized that law. The second section of the act of 1832 required the reduction of all invalid and other pensions and a total relinquishment thereof before receiving its benefits; but Congress, on the 19th of February, 1833, removed this restriction, so that since that time the soldiers of that war received two pensions where their service had been of sufficient duration to admit them to pensions under the act of 1832. Congress also made the law retroactive two years, to date back to 1830.

Here is something very substantial that Virginia did for her soldiers: In chapter 21 of the act of October, 1779, it is provided that—

Officers who shall serve in the Virginia line on the continental establishment . . . to the end of the present war, and noncommissioned officers, soldiers, sailors, etc., shall . . . receive land . . . following:

	Acres.
Every colonel . . . . .	5,000
Every lieutenant colonel . . . . .	4,500
Every major . . . . .	4,000
Every captain . . . . .	3,000
Every noncommissioned officer . . . . .	400
Every soldier . . . . .	200
And so forth.	

In the act of October, 1780, chapter 3, it was provided:

"And each recruit and all our soldiers now in service, . . . or who may enlist by the 1st of April next to serve during the war, and who shall serve to the end thereof, shall then receive a healthy negro between the ages of 10 and 30 years."

That is most startling news—more startling than Hannibal brought back from Africa.

"Or he shall receive \$300 in gold or silver, at the option of the soldier, in lieu thereof, and moreover be entitled to 300 acres of land."

I will cite only one case, which is perhaps a marked one. Lafayette was first given 11,520 acres of land; afterwards he was given a full township, 36 square miles of land, to be selected by himself, and also \$200,000 in gold.

All these vast rewards were in addition to the pension and full pay given to Revolutionary officers, according to their rank, by the Congress of the United States.

Again, 40 years after the Mexican War, we pensioned every soldier who served 60 days in that war, and those who enlisted north of Texas could not reach the army in Mexico at that time in 60 days. So these soldiers of the Mexican War were pensioned because they were soldiers who enlisted in that war and not because of actual service at the front or any disability whatever.

I investigated legislation affecting the soldiers of the Revolutionary War, of the War of 1812, and the Indian wars, and as late as 1841 Franklin Pierce, President of the United States, congratulated the Congress upon the fact that it had distributed 30,000,000 acres of the public domain of the United States to the gallant soldiers of its wars. I do not believe to-day we are looking at this question in a proper manner. We have not any public domain to-day so we can say to the soldiers, "Go and select your homes." We have no public domain left. Then what are we to do? Turn and look at the census report of this country and find the astounding figures that show now that 3,000,000 more people live in the cities of this country than live in the country. The drift of population is from the country toward the cities and they are overcrowding the cities, and the result is going to be disastrous in this country in a few more decades unless this tide of migration is turned.

I suggest to the Congress that we pass a law whereby loans can be made to every soldier who seeks to buy a home. I am in favor of doing something for the man who wants to do something for himself. Lend him money up to a limited amount, say, \$4,000, to be repaid in 33 years. Let him buy his home in the town or in the country, and if he buys it in a city or town, let him repay it by monthly payments. If he buys in the country, let him repay it by annual payments at a rate of interest not to exceed 5½ per cent, and take a mortgage upon the property. If the property is worth the full amount—in other words, where there are young men who desire these loans and can show that the property is worth the full amount of the proposed loan, permit the Government to lend him money up to the full amount. In 33 years' time the value of this real estate will more than double. American citizens are being born every day, but there is no new land over which to extend our borders. Give a certificate of compensation to each veteran of the World War. In 1841 when we issued a certificate to every soldier of that war who preferred the same to a land grant, he was issued a certificate according to his service in the Army.

If you gentlemen have any doubts about the question of the right to compensate these soldiers, I refer you to the remarks of Will Rogers, of New York, formerly an Oklahoman, as they appeared in the Washington Post of December 30, 1923:

Just been reading in the Literary Digest what both sides have to say for and against the bonus. Now, while nothing I would say would be quoted, as what you say for humanity don't have near the appeal as what you say for political purposes, especially in a presidential year, still my opinions on the bonus question are not issued after first taking the opinions of any constituents and then stringing with the majority.

My opinion is based on what I heard uttered to soldiers in the days when we needed them, when they were looked on not as a political organization with a few votes to cast, but as the pick of 100,000,000 people, the saviors of civilization. We never looked on a soldier in his uniform but what we who didn't go felt he was worth 10 of us. He went—did more than we even expected him to do. Now why is he not just as much to us to-day? What has he done to lower himself in our estimation? He still looks like 10 to 1 to me, and the same to a lot of others if they will be honest and tell the truth.

You promised them everything but the kitchen stove if they would go to war. Now a lot of our wealthy men are saying, "Oh, I am willing to do anything for the disabled, but nothing for the well." It was not these boys' fault they did not get shot. (I do not see them doing anything for the sick.) When he went away you did not tell him he had to come home on a stretcher before you would give him anything, did you?

We promised them everything, and all they got was \$1.25 a day and some knitted sweaters and socks. And after examining them, they wore the socks for sweaters and the sweaters for socks. They deserve a bonus just for trying to utilize what was sent to them.

They got a dollar and a quarter a day. Out of the millions of bullets fired by the Germans every day, statistics have proven that an average of 25 bullets were fired at each man each day. That figures out at the rate of 5 cents a bullet. Now, I am no agitator for an unfair wage or trying to hold anyone up, but the boys in this bonus want the salary at least doubled. And I do not think that 10 cents a bullet is an exorbitant price.

At the price things are to-day, I believe that to offer yourself as a target at 10 cents a shot is not too much. Some days he worked 24

hours, but the pay was just the same. Those Germans would not observe the 8-hour law. Then they are not asking anything extra for gas bombs, air raids, and cooties. Those things they accepted gratis.

Now, the only way to arrive at the worth of anything is by comparison. Take shipbuilding, wooden ones, for instance—that is the only way they ever were taken, for instance; they were never taken for use—statistics show that the men working on them got, at the lowest, \$12.50 per day, and by an odd coincidence statistics also show that each workman drove at the rate of 25 nails a day—the same number of nails as bullets stopped or evaded by each soldier per day. That makes 50 cents a nail.

Now, I am broad minded enough to admit that there is a difference between the grade of these two employments, but I do not think that there is 45 cents per piece difference. I know that bullet stopping comes under the heading of unskilled labor and that shipbuilding by us during the war was an art. But I do not think that there is that much difference between skilled and unskilled. That makes him ten times better than the unskilled, while I claim that he is only five times as good.

I may be wrong in my estimation of the two jobs. Careful Kal Koolidge is against me on this. It is the first time he and I have disagreed on one of the big questions. He is new, and I want to give him the benefit of the doubt. I realize that our opinions have been formed somewhat by our associations. He has been thrown, especially lately, with the wealthy, while I have, except on very rare occasions, been thrown with the common herd.

Now, as I say, while the soldiers got no overtime, the nail expert got time and a half for overtime up to a certain time, with double time and salary after that. Of course, he lost some time in the morning selecting which silk shirt he should nail in that day. And it was always a source of annoyance as to what car to go to work in.

Now, I may be wrong, for these rich men who are telling you that the nail is ten times harder to handle than the bullet know, for they made and sold both of them to the Government. I have not read it, but I suppose some puttee manufacturer will come out against the bonus pretty soon.

Everybody's alibi for not giving them the bonus is: "We can not commercialize the patriotism of our noble boys." "They did not go to war for money; they went for glory." Then another pet argument is: "The better element of the returned soldiers are against it themselves." These wealthy men say: "All for the disabled; nothing for the well."

Now, I have a scheme that I do not think has ever been proposed. Of course, coming from one with no political office to back it up, I doubt if it will be considered. Pay the bonus to all. Then let the boys who do not want it give their share to a fund to be added to the disabled ones, in addition to their regular share. Everybody wants the disabled to be cared for first and best. This plan would doubly care for them. We will say that there would be as many boys who would not take their money as there are wounded ones. That would give each wounded one a double share. Then, if it reached even more, put it in a fund for the disabled ones and divide it according to their affliction, the more serious getting the most. This disabled money would not have to be paid to them at once. It could be left with the Government and paid out in yearly installments. That would cut down the amount of money that would have to be raised immediately. That gets the disabled more than any scheme I have heard of, and also eliminates any returned soldier of the embarrassment of receiving \$2.50 per day. His conscience would be clear.

I also have a plan of raising this bonus which I haven't heard brought up; that is, raise it by a tax on all tax-exempt securities. These boys helped their country in a time of need. Tax-exempt bond buyer knowingly hindered it in a time of need by cheating it out of taxes.

In 1916 there was 1,296 men whose income was over \$300,000 and they paid a billion in taxes. This year there was only 246 whose income was supposed to be over \$300,000 and they only paid \$153,000,000.

You mean to tell me that there are only 246 men in this country who only make \$300,000? Why, say, I have spoken at dinners in New York where there was that many in one dining room, much less the United States.

That old alibi about the country not being able to pay is all apple sauce. There is no debt in the world too big for this country to pay if they owe it. If you owed it to some foreign nation, you would talk about honor and then pay it. Now, what do you want to beat your own kin out of anything for? You say, "Oh, it's not enough to do him any good, anyway." If it's not enough to do him any good, it's not enough to do you any harm when you pay it. Tax-exempt securities will drive us to the poorhouse, not soldiers' bonuses. This country is not broke, automobile manufacturers are three months behind in their orders, and whisky never was as high in its life.

And don't forget that there are many and many thousands of boys who came back and are not classed as disabled, but who will carry some effect of that terrible war as long as they live. I never met 10 who were not injured in some minor way, to say nothing of the dissatisfaction. I claim we owe them everything we have got, and if they will settle for a bonus we are lucky.

Now, if a man is against it, why don't he at least come out and tell the real truth. "I don't want to spare the money to pay you boys." I think the best insurance in the world against another war is to take care of the boys who fought in the last one. You may want to use them again. (Copyright, 1923, by the McNaught Syndicate (Inc).)

At a time, gentlemen, when there were only 17,000,000 people in the United States, they issued a certificate to each soldier for \$100 if he preferred it to 160 acres of public lands.

Gentlemen, I want to call your attention to the fact that the big business of the country ought to come down to Washington and say to the Congress of the United States, "We are going to forget our selfishness for a day. We want you to pass some legislation that will do this country some good as well as the soldiers of this country." When the soldiers of the late war look at the records and see that the wealth of the banks alone in this country increased \$22,000,000,000 from 1914 to 1921, what is your answer to them? Is this to be your answer: "We are going to lower the taxes and there will be no money here, and therefore we can not pass any legislation for your benefit?"

I want to say further that I notice in the papers—and I hope they are wrong about it—that gentlemen on the Republican side of the House who are former service men expected to block legislation, or words to that effect, until the adjusted compensation bill could be passed. I do not sympathize with that idea. I do not think that would put them in a proper light before the country, because they are beneficiaries of the legislation. It is proper for them to use all necessary steps to secure what is right for their buddies of the war, but I hope they are misquoted in the statement that it is their purpose to obstruct legislation. But, gentlemen, hear me further; if you pass legislation giving the boys a chance to own their own homes and to own their own land, land values in this country will be stabilized overnight upon the passage of such legislation, and the fundamental wealth of this country consists of its land and real estate values. If you pass this legislation the farmers who are now losing their homes on account of depressed conditions and depressed and deflated land values in the great Middle West will awaken to find their property values stabilized; and thus there will be a reaction, and it will not cost the United States, in the long run, any sum of money, but it will really pay us in great measure when we have created in this country a land of home owners.

When we read the history of the world and of the human race we see that there is implanted in every human being a desire for the ownership of land, and land hunger has demonstrated itself after every great war. That is the thing now that is showing itself. That is where your restlessness is coming from. It is from the longing for land, the opportunity to own a little home, a vine and fig tree. We ought to forget partisanship, as Members of this House, and politics, because this is not a political question, and it is not a partisan question. There is more selfishness being demonstrated to-day in America than at any time in its history. Your mail will show this condition.

The SPEAKER pro tempore. The time of the gentleman from Oklahoma has expired.

Mr. McKEOWN. Mr. Speaker, I ask unanimous consent to speak for five minutes more.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. McKEOWN. Many of the letters that come to you are letters asking you to make inroads upon the Treasury or to grant special privileges at the expense of the Government. You are asked to do that under various guises. They will not write you upon the paper that tells what their business is, but they write to you on plain paper, thinking that you can thus be beguiled.

Mr. CONNERY. Mr. Speaker, will the gentleman yield?

Mr. McKEOWN. Yes.

Mr. CONNERY. Does not the gentleman think that these big interests that are sending out this propaganda, which we receive upon our desks every morning, have not taken into consideration the fact that if these men, in whose interest Congress is considering the passing of an adjusted compensation law, had not gone to France, that instead of considering to-day a proposition to reduce taxes we might be paying billions of dollars of indemnity to the German Empire?

Mr. McKEOWN. I believe in fighting out in the open; I believe in fighting fair and square. I believe the business men of the country ought to realize that we can get this question of a soldiers' adjusted compensation out of the way. It was not their fault. I am not here trying to impede legislation. I want to see the taxes of this country reduced, but I want to see these boys who helped to save these \$9,000,000,000 which was loaned to the Allies have their opportunity. It will take in the aggregate \$3,000,000,000 to make all of the loans to all of the boys, but it would be a revolving fund and would come back. I would not be in favor of letting them have the revolving fund used for anything except loans, because if we turn it over to one of these boards it would not be long before they would be paying from \$25,000 to \$50,000 a year out for salaries of attorneys. I believe the creation of a loan of this kind will receive the approbation of a majority of the soldiers of this country. I believe that if they had an opportunity to select to-day as to whether they would want some cash compensation as against an opportunity to own a home and pay for it they would take the latter. With a certificate of pay for their time in the Army, the soldier would have something with which to create a credit when financial distress might be upon him, and he would not lose his home and have his wife and children put out of doors. There are more foreclosures on mortgages to-day in Oklahoma than there have been in the history of 10 years in that State.

Mr. MORGAN. Mr. Speaker, will the gentleman yield?

Mr. McKEOWN. Yes.

Mr. MORGAN. In order that I may get clear in my mind just what the gentleman is discussing, is his bonus proposal a land grant and an elimination of the cash?

Mr. McKEOWN. It is, in place of a cash bonus, to give them an opportunity to borrow money with which to buy a home.

Mr. MORGAN. Then this is a loan proposition?

Mr. McKEOWN. Yes; and we would give him a certificate for the time that he was in the service. When he was in the service working for a dollar a day the fellows driving nails on wooden ships were getting \$12 a day.

Mr. MORGAN. Do I understand that the gentleman favors a transferable certificate before the man can buy the land?

Mr. McKEOWN. No; my plan is to give each soldier of the late war a certificate, just as it was given to the soldiers of the War of 1812. It was a certificate or note, due at the pleasure of the United States, for the time that he was in the war. If he took advantage of the loan, then he would put up his certificate with the United States Government and it would bear interest at 5½ per cent. [Applause.]

A distinguished citizen of this country, Hon. William G. McAdoo, former Secretary of the Treasury, in a statement contained in the Washington Daily News of date January 4, 1924, submits figures to show that taxes can be reduced and bonus paid, too, which statement is as follows:

We can have tax reduction and do justice to the American soldier as well. By treating adjusted compensation as a part of the war cost and funding it through an issue of 50-year bonds the interest and sinking-fund charge should not exceed \$80,000,000 to \$90,000,000 per annum. This would not prevent a reduction in taxes.

This question should long ago have been taken out of politics and in no circumstances should be used for political advantage. The men who served in the trenches got \$1.10 per day; those in the reserves in America got \$1 per day. If the American people believe that it was worth \$2.35 per day to serve in the trenches and \$2 per day to serve in the reserves in America, these being the rates the soldiers are asking as adjusted compensation, then the difference between these rates and what the soldiers have already received should be paid as an act of justice.

#### CIVIL EMPLOYEES PAID.

We gave more than 500,000 civil employees of the Government during the war a bonus of \$240 per annum, and this has continued for more than five years. Is it less right to give the men who fought the war equal consideration?

We can never afford to say that justice shall not be done because it costs something. We have spent our blood copiously in various wars to secure justice; shall we refuse to spend money to give justice? Justice must never be measured in dollars; it must be measured only in righteousness and humanity.

The Secretary of the Treasury has stated that taxes can be reduced \$323,000,000 per annum if the soldiers' bonus is not granted; that they can not be reduced if the bonus is granted. Taxes can be reduced and the bonus can be paid as well.

The Finance Committee of the Senate, of which Mr. McCumber was chairman and Mr. Smoot a leading member, reported in 1921 that if every veteran should accept cash the total cost of adjusted

compensation would be approximately \$1,548,000,000. This figure is confirmed by the Secretary of the Treasury in his letter of July 2, 1921, to Senator Frelinghuysen.

#### WOULD PAY CASH.

I favor paying the bonus in cash and getting it behind us. This can be done by issuing 50-year bonds for the required amount. The interest charge, including a sufficient sinking-fund provision at 5 per cent, will be \$77,400,000 per annum.

Deduct this from the \$323,000,000 tax reduction proposed by the Secretary of the Treasury and we have a net reduction in taxes of \$245,600,000, and the soldiers' bonus will be disposed of with justice to the men and honor to the country.

Various alternative plans were proposed by the Senate Finance Committee, and if all of them were adopted the cost of the bonus would be indeterminate and would undoubtedly greatly exceed the cash plan I have suggested. It is these alternatives which have caused confusion in the public mind as to the real cost of the bonus. But the liability under the cash plan has been definitely determined by the exhaustive investigation and report of the Finance Committee of the Senate.

#### WOULD AVOID PENSIONS.

I am confident that it will be acceptable to nine-tenths of the soldiers. Its adoption will take the matter out of politics and put an end to the controversy. I believe also that this just recognition will prove an effective barrier against any demand that may be made in the future for service pensions, which, because of the great number of men involved, would impose an almost impossible burden on the American people. Justice to the soldiers now may prevent injustice to the people later.

Those who oppose a settlement of this matter by saying it will hurt the credit of the Government, or that it can not be financed by the Treasury, remind me of those who insisted that the Liberty bonds could not be sold to the people. They were pessimists then as they are pessimists now.

If the Congress could see its way to pass legislation along the lines I suggest I feel that we would merit the confidence and respect of a vast majority of the people of the United States, and do justice by the soldier not only of the World War but of the Spanish-American War.

The disabled and afflicted veterans are entitled to our most tender care and attention. They are the wrecks that have come back from the awful war. So many gentlemen express themselves in favor of caring for the disabled, but are opposed to compensating the well and strong. It is my wish that those who desire to help the disabled could be appointed to positions in the Veterans' Bureau where now it is so hard and nearly impossible for a disabled soldier to get fair treatment.

I believe that the House wants to do justice and will do justice by the veterans of the war and the people of the Nation. I appeal to you to not forget the little white crosses that mark the resting place of our unforgotten dead in France, sleeping in their last resting place in the soil where sleep the best of the world's young manhood, waiting there until that day when Gabriel shall sound his bugle. These soldiers were called to battle from a land of peace. They were called to follow a stainless flag, and it was the cause of freedom that called them to the brink of hell. They were following their peaceful vocations going about the streets and highways of their beloved native land planning for a life of peace and service in the great Republic. They little dreamed of the terrible conflict which was impending, and it was in their merriest moments that the "dice of death were cast in the palaces of Potsdam and the madmen of Berlin sounded the tocsin of unexampled war." You will not forget their comrades who returned, but will reward them as becomes the proudest and wealthiest Nation on earth.

The SPEAKER pro tempore. The time of the gentleman from Oklahoma has again expired.

Mr. JONES. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The gentleman from Georgia [Mr. UPSHAW] is recognized for 15 minutes.

#### DRY OATH FOR CONGRESSMEN.

Mr. UPSHAW. Mr. Speaker and gentlemen of the House, my record in this unsought controversy between the wet gentleman from Maryland, Mr. HILL, and myself has been as straight as a straight line; but I am a little afraid that the gentleman from Maryland, though representing in his district many who are said to be sports, is not a very good "sport" in the highest sense of that word. He didn't do a thing but lug in a lot of material with which to load a machine gun, and then got in front of that machine gun and dared his colleague to load and

shoot; and because the execution of that discharge was heavier than he expected, he gathered himself with the fragments thereof and "kinder" made faces at his well-intentioned colleague, and said things in the Baltimore and Washington papers about the gentleman from Georgia that were not very ethical to say the least. You have just heard his prepared answer. With its delivery and reception I am thoroughly satisfied.

I have been charged by the gentleman from Maryland and a number of wet papers in Baltimore with having gone out of my way to attack the historic State of Maryland and the great city of Baltimore, and to have done this thing and that to the gentleman from Maryland. I remind you that Mr. Hill threw the first brickbat, and then because his colleague picked up that brickbat, wrapped it up with incontestable facts and hurled it back with force enough to break some treasured Baltimore jugs and bottles, he has been tremendously disconcerted ever since.

I am going to ask you to remember the fact that just before Christmas, through the good offices of the gentleman from Tennessee, the minority leader [Mr. GARRETT], I secured the privilege, within my right as a Member of Congress, to address this House upon the opening day of the New Year upon "The majesty of the law and national sobriety." Whatever may be said of the original intent of the matter of that speech, you must agree, I think, that the subject was dignified and that the theme was pertinent to present-day conditions. I should have been glad to proceed in an orderly parliamentary discussion of the subject, but the gentleman from Maryland forbade. In all good humor, as an evidence of the fact that he was seeking, not "light on the subject" of conditions in Georgia, the enforcement of the Volstead Act, and what not, but was rather seeking the limelight, he immediately issued to the papers a sensational "bloody-shirt" letter reviving sectional questions; giving that letter to the press of the Nation before it ever reached me.

I received a clipping from a New York paper with glowing headlines, "UPSHAW Baited by Wet Leader." This charge against Georgia was made before I ever mentioned the name of Maryland. I never called the name of Baltimore until he had said bad things about Savannah. And then, in addition to that, I remind you that he laid at the door of my seat here the charge of political fraud, on the basis of intimidation, which was tantamount to a wholesale charge against the credentials of almost every Democrat from the South, for all of us occupy our seats practically on the same basis. Having given that letter to the press before Christmas, having afterwards given that letter to every one of you, it became a national challenge to my honor and to the honor of every southern colleague; and if I had failed to defend my State and my colleagues in this House, whose right to sit here had been likewise questioned, I would have been branded all over America as a coward. The liquor crowd found out long ago, I think, that I am not a coward. And so, preserving all of the amenities, I think, of debate, keeping in good humor—for I want to be unfailingly perennial—I discussed the question that he has forced upon me.

Everybody knows, who has sense enough to get out of the way of a "tin Lizzie" or a Washington street car, that the analogies I drew from the comparison of votes between Congressmen of the North and South were only made in good-humored raillery and only meant exactly as much as Mr. Hill meant in laying the charge that my seat was not being held in political honor. But, boiled down, gentlemen, you know that there is not one scintilla of weight about his charge. He singled out Mr. UPSHAW, if you please, because I have been rather active along the opposite side from Mr. Hill. As much could have been said about the Representatives of all other Southern States as he has said about mine; and I want to say very frankly that it has been wonderfully gratifying to me that I have received as many warm-hearted, generous expressions of approval concerning my speech made the other day from my fair-minded Republican friends as I have from my Democratic friends. They have been kind enough to say I helped them to see the situation as they had not seen it before. Mr. Hill makes me think—I can not help it—of the ride we had on the bosom of Lake Geneva this summer, when we suddenly became aware of the fact that we were not riding on Lake Geneva but on Lake Leman.

Mr. HILL of Maryland. What kind of "hootch" did you have?

Mr. UPSHAW. And somebody told the story of the helress who had girdled the globe and come back to tell about the wonderful time which she had on Lake Geneva watching the snow-capped peaks, which seemed to kiss the stars, and so forth, and that then from Lake Geneva she went on Lake Leman,

when she was gently reminded that Lake Geneva and Lake Leman were synonymous. "Oh," she said, "I knew that; but one is much more synonymous than the other." [Laughter.] I can not help thinking about it when I think about Mr. Hill's charge. Baltimore, Hill, and "booze" legislation seem so synonymous. He and his "wet" papers take umbrage at what I said about Baltimore. You know and I know what is borne out by the facts. A prominent railroad man I met on the train when I was going to Cincinnati Saturday night thanked me for my plain speaking and said there is one street in Baltimore 7 miles long and anywhere there is a store, garage, stable, or whatnot you can safely go in and get anything you please.

Mr. Hill's mistake was that he singled out Georgia, as though Georgia were a greater "moonshine" sinner than Massachusetts, than New York, than Maryland. As I said the other day, we all regret beyond measure lawbreaking anywhere. But I put Mr. Hill to the test now. I put into italics what I said here a year ago. *Put a sleuthhound after my tracks from the day I was born a citizen until now; and if you find I have not kept this faith that I preach, I will resign from Congress.* And Mr. Hill said he would like to see all Georgia Congressmen sign a pledge—that he would follow suit. If I had a pledge card I would do it now, and I put it up to him. I hereby pledge to abstain—hello; here it is, just brought me by this wide-awake page. All right, Mr. Hill; I call your hand right now, whatever that means. [Laughter.] Here is the Lincoln-Lee Legion pledge card, with the pledge written by Abraham Lincoln:

I hereby enroll with the Lincoln-Lee Legion and promise with God's help to keep the following pledge:

"Whereas the use of intoxicating liquors as a beverage is productive of pauperism, degradation, and crime, believing it is our duty to discourage that which produces more evil than good, we therefore pledge ourselves to abstain from the use of intoxicating liquors as a beverage.

"Whereas good government demands obedience to law, I will stand for enforcement of all laws, including the prohibition of the liquor traffic."

I here and now, in the presence of my colleagues and Almighty God, sign this pledge. Come on, Mr. Hill. [Laughter and applause.]

Mr. HILL of Maryland. Will the gentleman yield for a question?

Mr. UPSHAW. No, sir; I yield for your signature. Come on and sign. [Laughter.]

Mr. HILL of Maryland. I said I would sign if you persuaded the whole Georgia delegation to sign. But I am glad the gentleman has decided finally that he needs to sign it.

Mr. UPSHAW. I am not responsible for my colleagues. They are all sober gentlemen. You said you would sign if I would. We are bound to believe that a man who, after that speech, will not sign a pledge like that evidently wants the world to know that he wishes to reserve special privileges to himself.

Mr. HILL of Maryland. No; I am not a graduate of the Civil War.

Mr. UPSHAW. I could assert my personal privilege and have one hour, but I will not. The first page of the Baltimore News of Saturday last, January 5, contains a good picture of the gentleman from Maryland and only a tolerably good picture of Mr. UPSHAW. The headlines read "Maryland lawmaker assails Georgian as dry hypocrite," and Mr. Hill is quoted as saying:

I charge that UPSHAW is a political hypocrite as well as being a prohibition charlatan.

Too bad, Mr. Hill, too bad!

Now, a political hypocrite is also a moral hypocrite, and I believe the gentlemen in this House overwhelmingly acquit the gentleman from Georgia from that groundless charge. And as to being a charlatan, I remind the gentleman that a charlatan is a faker, a dishonest pretender, and the vote of the great fifth district of Georgia, with Atlanta as the capital of that district, in sending me back to Congress a third time, giving me every ward in Atlanta and every county in the district, shows, thank God, that they do not indorse his charge of my being a pretender.

Mr. HILL of Maryland. What was that vote?

Mr. UPSHAW. Mr. Speaker, I ask unanimous consent for five minutes more.

Mr. HILL of Maryland. I ask unanimous consent that the gentleman may have one minute more.

Mr. UPSHAW. Mr. Speaker, five minutes was what I asked for. I gave the gentleman ten.

The SPEAKER. The gentleman from Georgia asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. HILL of Maryland. Will the gentleman yield for a question?

Mr. UPSHAW. I did not interrupt you at all.

Mr. HILL of Maryland. I thought perhaps you might want to tell of that vote.

Mr. UPSHAW. The gentleman from Maryland remembers, as I told you the other day—it is useless to discuss it, for the gentleman seems unable to comprehend—that our elections are settled chiefly in the primaries, and in the very vote to which he referred the opposition was so negligible, that I, myself, remained in Texas and paid no attention to it. I am not responsible for the lack of interest taken in the elections down there, so that people do not want to pay their taxes and vote the Republican ticket. But I have proven my case, and I again dare any man on the floor of this House or any American anywhere to bring one bit of evidence to prove that any intelligent negro can not register and vote in peace without hindrance, and go to the ballot box as straight as a white man.

The gentleman from Maryland [Mr. HILL] seems to be greatly distressed about the publicity given my speech, begrudging me the great blessing that came when a gifted generous friend, attracted by the things I stood for, came to my sick room and volunteered, knowing I was not able to handle the details, to give publicity to my address. As he has testified to Mr. HILL to-day, I am not responsible for the generous words with which he introduced my speech to the press of the country nor for the suggestion of higher honors which many papers and prominent Americans have made. I am just trying to be one thing—a faithful, sober, efficient Representative of a great people who have trusted me.

Frankly, gentlemen, I do not think that my reputation for intellectual force is very greatly enhanced by this unsought discussion with the gentleman from Maryland, and I believe, instead of claiming the privilege of the floor for an hour on this publication, I shall have to decline further to be the ringmaster for Mr. HILL's menagerie.

Mr. HILL can go back and be the reputed "idol of the wets" of Baltimore and continue the hero of the Baltimore jug and bottle men if he prefers, but I would not exchange the tribute in this telegram from the Woman's Christian Temperance Union of Georgia, signed by Mrs. Lilla Dillard, president, and Mrs. W. F. Trenory, secretary, thanking me for my defense of their sacred White Ribbon cause, for all the wealth of the gentleman's State, that seems to love liquor better than the Constitution of our country. I lay at your feet and at the feet of my country a new dedication of my truceless warfare until the law is triumphant and sobriety is enthroned.

It is a privilege to have fellowship with this Congress. I have said everywhere that it is overwhelmingly dry. But I am safe, I know, in asking that all should set the great wholesome example that you would have public men set before your sons and daughters everywhere.

I see from these letters—I could publish many more—that Baltimore has many noble people in it who do not indorse Mr. HILL's position, but believe in the old-fashioned doctrine I preach.

1527 NORTH GILMOR STREET,  
Baltimore, Md., January 6, 1924.

Hon. W. D. UPSHAW,

House of Representatives, Washington, D. C.

DEAR SIR: I wish to express my profound appreciation for your splendid stand for the eighteenth amendment and the Volstead Act.

It is not hypocrisy in anyone to fight against those who try to use their power to destroy any part of our national Constitution.

Maryland is not in accord with Mr. HILL. He may have the conceit to believe Maryland would back him in his fight for intoxicating liquors to be again legalized, but he is badly mistaken.

The great majority in all States stand for the Constitution as the people have made it. I trust God will give you power to continue your noble stand for sobriety and human righteousness.

Your fellow American,

P. L. THOMAS.

BALTIMORE, MD., January 6, 1924.

Hon. W. D. UPSHAW,

House of Congress, Washington, D. C.

DEAR SIR: Just a word of congratulation on the stand you have long taken and are now taking on this important and nation-wide question

of sobriety. May you in this case, the same as any other where right and wrong are concerned, win a great victory for right.

I beg to remain

Respectfully yours,

GEO. S. SMITH,  
2879 Woodbrook Avenue, Baltimore, Md.

3812 BARRINGTON ROAD,  
Baltimore, January 4, 1924.

DEAR MR. UPSHAW: The law-abiding citizens of Baltimore thank you for speaking plainly. They are ashamed of the conduct of Congressman HILL, who is continually "cutting antics" for the delectation of the morons in the political bleachers. He makes bootleg wine in his own home, so you may imagine the kind of influence exerted.

If Congressmen swear to uphold the Constitution of the United States, why could not they be impeached when they violate it? We should delight to have an example made of public men who break their oaths. I have no objection to any legitimate use of my name when it comes to a question of defense of the law and the Constitution.

Sincerely yours,

FRED SIDNEY MAYER.

These good people agree with my old-fashioned Christian father, who taught his boys around the family altar that he would never vote for any man who was not a moral example for the boys whom he sent out into the world. On this basis I stand without apology or equivocation. And now I ask—not being very proud of Mr. HILL's performances in this matter—that we dedicate our lives and our patriotism to bigger things. [Applause.]

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—COMMUNICATION FROM THE DIRECTOR GENERAL OF RAILROADS AND AGENT OF THE PRESIDENT.

The SPEAKER laid before the House the following message from the President of the United States, which was read, and, with the accompanying papers, referred to the Committee on Interstate and Foreign Commerce and ordered to be printed:

*To the Congress of the United States:*

I transmit herewith, for the information of the Congress, a communication from the Director General of Railroads and Agent of the President submitting a summary of the progress made to December 31, 1923, in liquidating "all matters, including compensation, and all questions and disputes arising out of or incident to Federal control," as provided for in section 202 of the transportation act of 1920.

CALVIN COOLIDGE.

THE WHITE HOUSE, January 7, 1924.

PERMISSION TO EXTEND REMARKS.

Mr. McKEOWN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the Record, as well as the remarks of the former Secretary of the Treasury.

The SPEAKER. The gentleman from Oklahoma [Mr. McKEOWN] asks unanimous consent to revise and extend his remarks in the Record. Is there objection?

There was no objection.

Mr. UPSHAW. I make the same request.

The SPEAKER. The gentleman from Georgia [Mr. UPSHAW] makes the same request. Is there objection?

There was no objection.

Mr. GARRETT of Tennessee. Mr. Speaker, I ask unanimous consent that to-morrow, following the speech of the gentleman from Maine [Mr. BEEDY], the gentleman from Texas [Mr. MANSFIELD] may address the House for 15 minutes.

The SPEAKER. The gentleman from Tennessee [Mr. GARRETT] asks unanimous consent that to-morrow, following the speech of the gentleman from Maine [Mr. BEEDY], that the gentleman from Texas [Mr. MANSFIELD] may address the House for 15 minutes. Is there objection?

There was no objection.

Mr. LOWREY. Mr. Speaker, I ask unanimous consent to speak out of order for five minutes in regard to the recent death of a former Member of this House.

The SPEAKER. The gentleman from Mississippi [Mr. LOWREY] asks unanimous consent to speak out of order for five minutes with regard to the recent death of a former Member of this House. Is there objection?

There was no objection.

HON. THOMAS SPIGHT.

Mr. LOWREY. Mr. Speaker, it is hardly customary for this House to pause in its deliberations to take note of the passing of a man who has long ceased to be a Member here. However, I have asked the brief indulgence of my colleagues that I may speak a word in regard to the death of a former Repre-

sentative of my district whom I find still to be remembered and held in high esteem by many with whom I talk in Washington.

I refer to Hon. Thomas Spight, late of Ripley, Miss. He passed away on Saturday afternoon, January 5. At this very moment while I am speaking to you I am sure that hundreds of his fellow citizens are gathered at his funeral paying a final tribute of respect to the man whom they so delighted to honor while he lived. And here in this House, where he was trusted and honored, I with other friends want to join those at his home and lay a wreath upon his casket.

Thomas Spight volunteered for service in the Confederate Army when scarcely more than a boy. He made an enviable record as a soldier, rising to the rank of captain before he was 21 years of age. At the close of that long struggle, like other Confederate soldiers, he returned to look on devastated fields and dilapidated homes, to find fortunes ruined, and social and economic systems disorganized. But like many others he faced the forbidding situation bravely and cheerfully and dedicated himself to the service of his stricken people.

He took up the study and the practice of law, where he soon distinguished himself. For eight years he was State's attorney in his judicial district. Then for six terms he occupied a seat in this House, retiring from public life in 1911.

Retirement from public life, however, did not mean cessation of activity. In the community where he lived for more than 81 years he has continued to be vigorously active in his profession and to give his energy freely in every good cause, until now he is gathered to his fathers, one of the purest, one of the truest, one of the finest sons of that great old South from which he sprang.

Mr. O'CONNOR of Louisiana. Mr. Speaker, I ask unanimous consent to speak for 15 minutes to-morrow after the gentlemen who have already been allowed time. It is the 8th of January, and I may feel the spirit move me and desire to say a few words on the anniversary of the great battle of New Orleans.

The SPEAKER. The gentleman from Louisiana [Mr. O'Connor] asks unanimous consent to speak for 15 minutes to-morrow after the gentlemen who have already been allowed time. Is there objection?

There was no objection.

#### LEAVE OF ABSENCE.

Leave of absence was granted as follows:

To Mr. ALLGOOD for five days on account of the death of his father.

To Mr. CANFIELD on account of death in his family.

To Mr. ROMJUE indefinitely on account of sickness.

#### PERMISSION TO ADDRESS HOUSE.

Mr. LONGWORTH. Mr. Speaker, I ask unanimous consent that at the conclusion of the addresses scheduled for to-morrow the gentleman from Montana [Mr. LEAVITT] be permitted to address the House for 30 minutes.

The SPEAKER. The gentleman from Ohio [Mr. LONGWORTH] asks unanimous consent that at the conclusion of the addresses scheduled for to-morrow the gentleman from Montana [Mr. LEAVITT] be permitted to address the House for 30 minutes. Is there objection?

There was no objection.

#### ADJOURNMENT.

Mr. LONGWORTH. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 11 minutes p. m.) the House adjourned until to-morrow, Tuesday, January 8, 1924, at 12 o'clock noon.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

246. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the American Battle Monuments Commission for the fiscal year ending June 30, 1924, \$95,750 (H. Doc. No. 133); to the Committee on Appropriations and ordered to be printed.

247. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Smithsonian Institution for the fiscal year ending June 30, 1924, for the laying of water mains and the erection of fire hydrants in the Smithsonian grounds, \$8,500 (H. Doc. No. 134); to the Committee on Appropriations and ordered to be printed.

248. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Federal Power Commission for the fiscal year ending

June 30, 1924, for printing and binding, \$1,000 (H. Doc. No. 135); to the Committee on Appropriations and ordered to be printed.

249. A communication from the President of the United States, transmitting deficiency and supplemental estimates of appropriations for the legislative establishment of the United States for the fiscal year ended June 30, 1923, and the fiscal year ending June 30, 1924, amounting in all to \$23,232.02 (H. Doc. No. 136); to the Committee on Appropriations and ordered to be printed.

250. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the United States Housing Corporation for the fiscal years ending June 30, 1923, and June 30, 1924, for ground rent for the Government hotels for Government workers for the period November 15, 1922, to June 30, 1924, \$120,968 (H. Doc. No. 137); to the Committee on Appropriations and ordered to be printed.

251. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the legislative establishment of the United States for the fiscal year ending June 30, 1925, in the sum of \$345,000 (H. Doc. No. 138); to the Committee on Appropriations and ordered to be printed.

252. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year ending June 30, 1924, to defray the expenses incurred on account of the sickness and death of President Harding, \$28,000 (H. Doc. No. 139); to the Committee on Appropriations and ordered to be printed.

253. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year ending June 30, 1924, submitted by the War Department for the payment of a claim of the J. Maury Dove Co. for \$9,505.08 (H. Doc. No. 140); to the Committee on Appropriations and ordered to be printed.

254. A communication from the President of the United States, transmitting deficiency estimates of appropriations for the Federal Board for Vocational Education for the fiscal year ending June 30, 1924, amounting to \$75,682.09 (H. Doc. No. 141); to the Committee on Appropriations and ordered to be printed.

255. A communication from the President of the United States, transmitting a communication from the Postmaster General, submitting claims for damages to privately owned property in the sum of \$2,548.63, which have been adjusted and which require an appropriation for their payment (H. Doc. No. 142); to the Committee on Appropriations and ordered to be printed.

256. A communication from the President of the United States, transmitting judgments rendered against the Government by the United States district courts requiring an appropriation for their payment (H. Doc. No. 143); to the Committee on Appropriations and ordered to be printed.

257. A communication from the President of the United States, transmitting judgments rendered against the Government by the United States District Court for the District of New Mexico in connection with condemnation proceedings under the provisions of section 7, Thirty-second Statutes, page 399, and which require an appropriation for their payment (H. Doc. No. 144); to the Committee on Appropriations and ordered to be printed.

258. A communication from the President of the United States, transmitting records of judgments rendered against the Government by the United States District Court for the Eastern District of New York, sitting in admiralty, requiring an appropriation (H. Doc. No. 145); to the Committee on Appropriations and ordered to be printed.

259. A communication from the President of the United States, transmitting a list of judgments rendered against the Government by the district courts of the United States, as submitted by the Attorney General through the Secretary of the Treasury, which require an appropriation for their payment (H. Doc. No. 146); to the Committee on Appropriations and ordered to be printed.

260. A communication from the President of the United States, transmitting a list of judgments rendered by the Court of Claims, which have been submitted by the Attorney General through the Secretary of the Treasury, and which require an appropriation for their payment (H. Doc. No. 147); to the Committee on Appropriations and ordered to be printed.

261. A letter from the Secretary of War, transmitting reports of the Chief of Engineers, the Chief Signal Officer, the Superintendent of the United States Military Academy, and the War

Department Supply Division, of typewriters, adding machines, and similar labor-saving devices exchanged during the fiscal year 1923 as part payment for new labor-saving devices purchased; to the Committee on Appropriations.

262. A letter from the Comptroller General, transmitting a report showing what officers of the Government were delinquent for the fiscal year ended June 30, 1923, in rendering or transmitting their accounts, together with a list of such officers as were found upon final settlement of their accounts to be indebted to the Government and who at the date of making this report have not paid such indebtedness into the Treasury of the United States; to the Committee on Expenditures in the Treasury Department.

#### CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

The bill (H. R. 1943) granting a pension to Mace M. Williams; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

The bill (H. R. 4069) to correct the military record of Stephen L. Noland; Committee on Invalid Pensions discharged, and referred to the Committee on Military Affairs.

The bill (H. R. 2986) granting an increase of pension to Mary J. Lamb; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

The bill (H. R. 1940) granting an increase of pension to George W. Young; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

The bill (H. R. 2154) granting an increase of pension to Charles N. Cannon; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

The bill (H. R. 4021) for the relief of the heir at law of A. Barker; Committee on Claims discharged, and referred to the Committee on the Post Office and Post Roads.

#### PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. PARKER: A bill (H. R. 4796) to extend the time of the Hudson River Connecting Railroad Corporation for the completion of its bridge across the Hudson River in the State of New York; to the Committee on Interstate and Foreign Commerce.

By Mr. SHALLENBERGER: A bill (H. R. 4797) to repeal the transportation act of 1920; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 4798) to repeal so much of Title III of the transportation act of 1920 as creates the Railroad Labor Board, and to abolish said board; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 4799) to repeal section 15a and section 19a of the interstate commerce act; to the Committee on Interstate and Foreign Commerce.

By Mr. BACON: A bill (H. R. 4800) to provide for the promotion of physical education in the United States through co-operation with the States in the preparation and payment of supervisors and teachers of physical education, to appropriate money and regulate its expenditure, and for other purposes; to the Committee on Education.

By Mr. SNYDER: A bill (H. R. 4801) making an appropriation to establish a national military park at Oriskany (N. Y.) battle field; to the Committee on Military Affairs.

Also, a bill (H. R. 4802) authorizing the expenditure for certain purposes of receipts from oil and gas on the Navajo Indian Reservation in Arizona and New Mexico; to the Committee on Indian Affairs.

Also, a bill (H. R. 4803) to authorize the sale of lands and plants not longer needed for Indian administrative or allotment purposes; to the Committee on Indian Affairs.

Also, a bill (H. R. 4804) to authorize the allotment of certain lands within the Fort Yuma Indian Reservation, Calif., and for other purposes; to the Committee on Indian Affairs.

By Mr. ZIHLMAN: A bill (H. R. 4805) authorizing the extension of the park system of the District of Columbia; to the Committee on the District of Columbia.

Also, a bill (H. R. 4806) granting a pension to teamsters, bridge builders, and railroad repairers who were in the service of the United States during the Civil War; to the Committee on Invalid Pensions.

By Mr. FAVROT: A bill (H. R. 4807) granting the consent of Congress to the State Highway Commission of Louisiana

to construct, maintain, and operate a bridge and approaches thereto across the West Pearl River in the State of Louisiana; to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 4808) granting the consent of Congress to the construction, maintenance, and operation of a bridge across the Pearl River between the parish of St. Tammany in Louisiana and the county of Hancock in Mississippi; to the Committee on Interstate and Foreign Commerce.

By Mr. ZIHLMAN: A bill (H. R. 4809) directing the Secretary of Labor to make an investigation and report on the subject of convict labor in the United States; to the Committee on Labor.

By Mr. KNUTSON: A bill (H. R. 4810) to promote civilization and self-support among the Chippewa Indians in the State of Minnesota, and to carry into effect the agreements with said Indians under the provisions of the act of January 14, 1889 (25 Stat. 642); to the Committee on Indian Affairs.

By Mr. FREAR: A bill (H. R. 4811) repealing section 301 and section 302, revenue laws, 1921, approved November 23, 1921; to the Committee on Ways and Means.

Also, a bill (H. R. 4812) to amend an act entitled "An act to reduce and equalize taxation, to provide revenue, and for other purposes," approved November 23, 1921; to the Committee on Ways and Means.

Also, a bill (H. R. 4813) to amend Title II of the revenue act of 1921; to the Committee on Ways and Means.

Also, a bill (H. R. 4814) amending section 230 of the revenue act of 1921; to the Committee on Ways and Means.

Also, a bill (H. R. 4815) to amend section 257 of the revenue act of 1921, so as to provide for publicity of tax records; to the Committee on Ways and Means.

By Mr. COLLIER: A bill (H. R. 4816) authorizing the Secretary of War to permit the city of Vicksburg, Miss., to construct and maintain water mains on and under the national cemetery road at Vicksburg, Miss.; to the Committee on Military Affairs.

By Mr. MCKENZIE: A bill (H. R. 4817) granting the consent of Congress to the State of Illinois and the State of Iowa, or either of them, to construct a bridge across the Mississippi River connecting the county of Whiteside, Ill., and the county of Clinton, Iowa; to the Committee on Interstate and Foreign Commerce.

By Mr. HOWARD of Oklahoma: A bill (H. R. 4818) to perfect the title of purchasers of Indian lands sold under the provisions of any act of Congress and pursuant to regulations of the Secretary of the Interior; to the Committee on Indian Affairs.

By Mr. HASTINGS: A bill (H. R. 4819) to provide for the construction of a military road at the United States cemetery at Fort Gibson, Okla.; to the Committee on Military Affairs.

By Mr. KAHN: A bill (H. R. 4820) to amend the act entitled "An act to readjust the pay and allowances of the commissioned and enlisted personnel of Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service," approved June 10, 1922; to the Committee on Military Affairs.

By Mr. BROWNING: A bill (H. R. 4821) to amend the practice and procedure in Federal courts, and for other purposes; to the Committee on the Judiciary.

By Mr. CRISP: A bill (H. R. 4822) to exempt from duty calcium arsenite and calcium arsenate; to the Committee on Ways and Means.

By Mr. CLAGUE: A bill (H. R. 4823) to amend section 406 (a) of an act to regulate interstate and foreign commerce in livestock, livestock products, dairy products, poultry, poultry products, and eggs, and for other purposes, approved August 15, 1921; to the Committee on Agriculture.

Also, a bill (H. R. 4824) to amend section 304 of an act to regulate interstate and foreign commerce in livestock, livestock products, dairy products, poultry, poultry products, and eggs, and for other purposes, approved August 15, 1921; to the Committee on Agriculture.

By Mr. SUTHERLAND: A bill (H. R. 4825) for the establishment of industrial schools for Alaskan native children; to the Committee on the Territories.

Also, a bill (H. R. 4826) to extend the authority of the Secretary of Commerce in regulating the fisheries of Alaska; to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 4827) for the establishment of a land district in southeastern Alaska, and for the appointment of a register and receiver of a land office at Juneau, Alaska; to the Committee on the Public Lands.

Also, a bill (H. R. 4828) to amend section 27 of the act entitled "An act to provide for the promotion and maintenance of the American merchant marine, to repeal certain emergency legislation, and provide for the disposition, regulation, and use of property acquired thereunder, and for other purposes,"

approved June 5, 1920; to the Committee on the Merchant Marine and Fisheries.

By Mr. PEERY: A bill (H. R. 4829) to establish a national park in the State of Virginia; to the Committee on the Public Lands.

By Mr. CLARKE of New York: A bill (H. R. 4830) to provide for the protection of forest lands, for the reforestation of denuded areas, for the extension of national forests, and for other purposes, in order to promote the continuous production of timber on lands chiefly suitable therefor; to the Committee on Agriculture.

By Mr. O'CONNELL of New York: A bill (H. R. 4831) to amend the revenue act of 1921; to the Committee on Ways and Means.

By Mr. STENGLE: A bill (H. R. 4832) amending section 253 of the revenue act of 1921; to the Committee on Ways and Means.

By Mr. BECK: A bill (H. R. 4833) to amend section 257 of the revenue act of 1921; to the Committee on Ways and Means.

By Mr. WINTER: A bill (H. R. 4834) to authorize the deferring of payments of reclamation charges; to the Committee on Irrigation of Arid Lands.

By Mr. LEAVITT: A bill (H. R. 4835) to pay tuition of Indian children in public schools; to the Committee on Indian Affairs.

Also, a bill (H. R. 4836) to provide for the addition of certain public lands to the Lewis and Clark National Forest in Montana; to the Committee on the Public Lands.

By Mr. BYRNS of Tennessee: A bill (H. R. 4837) to provide for hospitalization, medical treatment, nursing, and all necessary care of honorably discharged disabled ex-service men; to the Committee on Interstate and Foreign Commerce.

By Mr. BLAND: A bill (H. R. 4838) to amend an act entitled "An act making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1921, and prior fiscal years, and for other purposes," approved June 16, 1921; to the Committee on Interstate and Foreign Commerce.

By Mr. ALMON: A bill (H. R. 4839) granting allowances for rent, fuel, light, and equipment to postmasters of the fourth class, and for other purposes; to the Committee on the Post Office and Post Roads.

By Mr. LEAVITT: A bill (H. R. 4840) authorizing the Secretary of War to transfer jurisdiction over a portion of the Fort Keogh Military Reservation, Mont., to the United States Department of Agriculture for agricultural experimental purposes; to the Committee on the Public Lands.

By Mr. JOHNSON of South Dakota: A bill (H. R. 4841) to provide further for the national security and defense; to the Committee on Military Affairs.

By Mr. ROACH: A bill (H. R. 4842) to regulate and control certain interstate commerce shipments of pistols, revolvers, and other like deadly weapons, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. BLAND: A bill (H. R. 4843) to provide for an examination and survey of channel from the municipal pier and municipal boat harbor at Newport News, Va., to the channel which connects the deep water in the James River with Hampton Roads, Va.; to the Committee on Rivers and Harbors.

Also, a bill (H. R. 4844) to provide vocational training for persons who failed to commence training within the time prescribed in the act, approved March 4, 1921, entitled "An act making appropriations for sundry civil expenses of the Government for the year ending June 30, 1922, and for other purposes"; to the Committee on Interstate and Foreign Commerce.

By Mr. REED of West Virginia (by request): A bill (H. R. 4845) to amend an act entitled "An act for the regulation of the practice of dentistry in the District of Columbia, and for the protection of the people from empiricism in relation thereto," approved June 6, 1892, and acts amendatory thereof; to the Committee on the District of Columbia.

By Mr. MEAD: A bill (H. R. 4846) to provide study periods for post-office clerks; to the Committee on the Post Office and Post Roads.

By Mr. SCHALL: A bill (H. R. 4847) to provide for a modification of the time calendar now in general use in the United States, the modified form to be known as the liberty calendar; to the Committee on the Judiciary.

By Mr. ANDREW: A bill (H. R. 4848) to purchase a painting of the several ships of the United States Navy in 1891 and entitled "Peace"; to the Committee on the Library.

By Mr. NELSON of Wisconsin: A bill (H. R. 4849) to amend an act for retirement of lighthouse employees, approved June 20, 1918; to the Committee on Interstate and Foreign Commerce.

By Mr. KAHN: A bill (H. R. 4850) to confer jurisdiction upon the United States District Court, Northern District of California, to adjudicate the claims of American citizens; to the Committee on the Judiciary.

By Mr. MORRIS: A bill (H. R. 4851) for the erection of a public building in the city of Eminence, State of Kentucky, and authorizing money to be appropriated therefor; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4852) to enlarge, extend, and remodel the post-office building at Lexington, Ky., and to acquire additional land therefor if necessary; to the Committee on Public Buildings and Grounds.

By Mr. BROWNING: A bill (H. R. 4853) to authorize the Secretary of the Treasury to cause the Federal building at Jackson, Tenn., to be enlarged, extended, remodeled, and improved; to the Committee on Public Buildings and Grounds.

By Mr. CLAGUE: A bill (H. R. 4854) to provide for the purchase of a site and the erection of a public building thereon at Pipestone, in the State of Minnesota; to the Committee on Public Buildings and Grounds.

By Mr. LARSEN of Georgia: A bill (H. R. 4855) to provide for the authorization of appropriation for the purchase of a site and the erection of a Federal building at Cochran, Ga.; to the Committee on Public Buildings and Grounds.

By Mr. WATRES: A bill (H. R. 4856) to increase the limit of cost of the United States post-office building in Olyphant, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. ROBINSON of Iowa: A bill (H. R. 4857) to authorize the acquisition of a site and the erection thereon of a Federal building at Dubuque, Iowa; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4858) to authorize the acquisition of a site and the erection thereon of a Federal building at Independence, Iowa; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4859) to authorize the acquisition of a site and the erection thereon of a Federal building at Waverly, Iowa; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4860) to authorize the acquisition of a site and the erection thereon of a Federal building at Waterloo, Iowa; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4861) to authorize the acquisition of a site and the erection thereon of a Federal building at Eagle Grove, Iowa; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4862) to authorize the acquisition of a site and the erection thereon of a Federal building at Eldora, Iowa; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4863) to authorize the acquisition of a site and the erection thereon of a Federal building at Manchester, Iowa; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4864) to authorize the acquisition of a site and the erection thereon of a Federal building at Clarion, Iowa; to the Committee on Public Buildings and Grounds.

By Mr. McDUFFIE: A bill (H. R. 4865) to provide for the enlargement, extension, and remodeling of the Federal building at Mobile, Ala.; to the Committee on Public Buildings and Grounds.

By Mr. WOOD: A bill (H. R. 4866) for the purchase of a site and the erection thereon of a public building at Whiting, Ind.; to the Committee on Public Buildings and Grounds.

By Mr. SALMON: A bill (H. R. 4867) for the purchase of a site and the erection thereon of a suitable public building at Mount Pleasant, Maury County, Tenn.; to the Committee on Public Buildings and Grounds.

By Mr. LANGLEY: A bill (H. R. 4868) relative to public buildings and grounds in the District of Columbia; to the Committee on Public Buildings and Grounds.

By Mr. O'CONNOR of Louisiana: A bill (H. R. 4869) to establish a national military park to commemorate the Battle of New Orleans; to the Committee on Military Affairs.

By Mr. BOYLAN: Joint resolution (H. J. Res. 125) regarding prisoners in Ireland; to the Committee on Foreign Affairs.

By Mr. SWOOPE: Joint resolution (H. J. Res. 126) adopting The Star Spangled Banner, words by Francis Scott Key and music by Samuel Roberts, as the national anthem; to the Committee on the Library.

By Mr. RANKIN: Joint resolution (H. J. Res. 127) expressing the intention of the United States to grant complete and absolute independence to the Philippine Islands and requesting the President to consider the expediency of effecting a treaty of recognition for said Republic; to the Committee on Insular Affairs.

By Mr. McSWAIN: Joint resolution (H. J. Res. 128) to promote peace and to equalize the burdens and to minimize the profits of war; to the Committee on the Judiciary.

By Mr. BACON: Joint resolution (H. J. Res. 129) authorizing the erection on public grounds in the city of Washington, D. C., of a memorial to the Navy and Marine services, to be known as Navy and Marine memorial dedicated to Americans lost at sea; to the Committee on the Library.

By Mr. NELSON of Wisconsin: Resolution (H. Res. 120) amending paragraph 3 of Rule XXIII; to the Committee on Rules.

Also, resolution (H. Res. 121) amending Rule XX, section 2; to the Committee on Rules.

Also, resolution (H. Res. 122) adding Rule XLIV to the House rules; to the Committee on Rules.

Also, resolution (H. Res. 123) amending section 3, Rule X, of the House; to the Committee on Rules.

Also, resolution (H. Res. 124) amending Rule XIII of the rules of the House; to the Committee on Rules.

Also, resolution (H. Res. 125) amending section 8 of Rule XXV of the rules of the House; to the Committee on Rules.

Also, resolution (H. Res. 126) amending section 3 of Rule I of the rules of the House; to the Committee on Rules.

Also, resolution (H. Res. 127) amending section 5 of Rule XXII of the rules of the House; to the Committee on Rules.

Also, resolution (H. Res. 128) amending Rule XIII of the rules of the House; to the Committee on Rules.

Also, resolution (H. Res. 129) amending section 56 of Rule XI of the rules of the House; to the Committee on Rules.

Also, resolution (H. Res. 130) amending Rules X and XI of the rules of the House; to the Committee on Rules.

Also, resolution (H. Res. 131) amending section 1 of Rule XIV of the rules of the House; to the Committee on Rules.

By Mr. RATHBONE: Resolution (H. Res. 132) to investigate certain officers of the Department of Justice; to the Committee on Rules.

By Mr. MACGREGOR: Resolution (H. Res. 133) providing for an additional clerk to the Committee on Immigration and Naturalization; to the Committee on Accounts.

By Mr. WATKINS: Resolution (H. Res. 134) that the President be requested to inform the House of Representatives of the reasons for issuance of the Executive order dismissing Director Wilmett and 27 other employees of the Bureau of Engraving and Printing; to the Committee on Reform in the Civil Service.

By Mr. JOST: Resolution (H. Res. 135) to suspend consideration of an action on soldier bonus legislation until such time as the House shall have enacted an adequate pension and relief law for crippled and infirm soldiers and sailors of the late war, and widows and orphans of deceased veterans of said war; to the Committee on Rules.

By Mr. LANGLEY: Resolution (H. Res. 136) placing Charles A. Howard and William Echloff on the statutory rolls of the House of Representatives; to the Committee on Accounts.

By the SPEAKER (by request): Memorial of the Legislature of the Island of Porto Rico, asking that an act of the Congress of the United States "Providing for aid to the States for the construction of rural and postal roads, and for other purposes," approved July 11, 1916, be extended to Porto Rico; to the Committee on Insular Affairs.

Also, memorial of the Legislature of the Island of Porto Rico, asking that Congress extend to the island of Porto Rico the provisions of the following laws: Vocational education, merchant marine, compensation act, an act to create a department of education, an act to regulate the employment of minors and to provide for the compulsory school attendance of children in the District of Columbia, maternity law, act to protect the health and safety of employees of carriers by railroad subject to interstate commerce act, and act providing for the establishment of a minimum wage board; to the Committee on Insular Affairs.

#### PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANTHONY: A bill (H. R. 4870) granting an increase of pension to Omer P. Rosecrans; to the Committee on Pensions.

By Mr. AYRES: A bill (H. R. 4871) granting an increase of pension to Charles B. Diemart; to the Committee on Pensions.

Also, a bill (H. R. 4872) granting a pension to Lulla M. Eungard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4873) granting a pension to Thomas Anderson; to the Committee on Pensions.

By Mr. BOYLAN: A bill (H. R. 4874) granting a pension to Mary L. Bender; to the Committee on Pensions.

By Mr. BULWINKLE: A bill (H. R. 4875) authorizing the Secretary of the Treasury to pay war-risk insurance to the stepfather of Max Wilcox; to the Committee on Claims.

By Mr. BURDICK: A bill (H. R. 4876) granting an increase of pension to Julietta Radloff; to the Committee on Pensions.

By Mr. CELLER: A bill (H. R. 4877) for the relief of Esther Cohen; to the Committee on Claims.

By Mr. CLAGUE: A bill (H. R. 4878) granting a pension to Carrie L. Tuttle; to the Committee on Invalid Pensions.

By Mr. COLTON: A bill (H. R. 4879) for the relief of John Ferrell; to the Committee on Claims.

By Mr. DICKINSON of Missouri: A bill (H. R. 4880) granting a pension to John M. Jackson; to the Committee on Invalid Pensions.

By Mr. ELLIOTT: A bill (H. R. 4881) granting an increase of pension to Sarah J. Hiatt; to the Committee on Invalid Pensions.

By Mr. FUNK: A bill (H. R. 4882) granting an increase of pension to William H. Finley; to the Committee on Pensions.

By Mr. GARDNER of Indiana: A bill (H. R. 4883) granting a pension to Henry T. Sprinkle; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4884) granting a pension to Anderson Shoemaker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4885) granting a pension to John Wellman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4886) granting an increase of pension to John Pennington; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4887) granting an increase of pension to Louis Badger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4888) granting a pension to Luther L. Sloan; to the Committee on Invalid Pensions.

By Mr. GIFFORD: A bill (H. R. 4889) granting a pension to Ophelia E. H. Plyer; to the Committee on Invalid Pensions.

By Mr. GREENWOOD: A bill (H. R. 4890) granting reimbursement and pay to Thomas Simpson, jr.; to the Committee on Invalid Pensions.

By Mr. HAUGEN: A bill (H. R. 4891) granting a pension to Maggie A. Farrill; to the Committee on Invalid Pensions.

By Mr. HERSEY: A bill (H. R. 4892) granting an increase of pension to Mary G. McKenney; to the Committee on Invalid Pensions.

By Mr. HOOKER: A bill (H. R. 4893) authorizing the Secretary of War to donate to the town of Schoolfield, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4894) authorizing the Secretary of War to donate to the city of Danville, State of Virginia, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. HUDSON: A bill (H. R. 4895) granting a pension to Carrie M. Doucette; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4896) for the relief of John H. Cowley; to the Committee on Military Affairs.

By Mr. WILLIAM E. HULL: A bill (H. R. 4897) granting a pension to Anna Preston; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4898) granting an increase of pension to Hester A. Maust; to the Committee on Invalid Pensions.

By Mr. JAMES: A bill (H. R. 4899) granting a pension to John G. MacFarlane; to the Committee on Pensions.

Also, a bill (H. R. 4900) granting a pension to Peter Rule; to the Committee on Pensions.

By Mr. KETCHAM: A bill (H. R. 4901) granting a pension to Harriet Allen; to the Committee on Invalid Pensions.

By Mr. KNUTSON: A bill (H. R. 4902) for the relief of Emanuel Wallin; to the Committee on Claims.

By Mr. KEARNS: A bill (H. R. 4903) granting an increase of pension to Fred B. Weaver; to the Committee on Pensions.

Also, a bill (H. R. 4904) for the relief of Jesse P. Brown; to the Committee on Military Affairs.

By Mr. LANGLEY: A bill (H. R. 4905) granting an increase of pension to Lee Begley; to the Committee on Pensions.

Also, a bill (H. R. 4906) granting a pension to Emily J. Poe; to the Committee on Invalid Pensions.

By Mr. LEAVITT: A bill (H. R. 4907) providing for the transfer in fee simple of the Fort Missoula, Mont., timber reserve to the State of Montana for the State University of Montana forest school; to the Committee on Military Affairs.

By Mr. LINTHICUM: A bill (H. R. 4908) granting an increase of pension to Albert Willis; to the Committee on Pensions.

Also, a bill (H. R. 4909) granting an increase of pension to John Pranke; to the Committee on Pensions.

Also, a bill (H. R. 4910) for the relief of Passed Asst. Paymaster Julian H. Maynard, United States Navy; to the Committee on Naval Affairs.

By Mr. LONGWORTH: A bill (H. R. 4911) granting a pension to Lucy Perkins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4912) for the relief of Benjamin A. Waybright; to the Committee on Military Affairs.

By Mr. McDUFFIE: A bill (H. R. 4913) to pay to Jere Austill fees earned as United States commissioner; to the Committee on Claims.

By Mr. MAGEE of New York: A bill (H. R. 4914) granting a pension to Martha A. Worden; to the Committee on Invalid Pensions.

By Mr. MANLOVE: A bill (H. R. 4915) granting an increase of pension to Benjamin F. Durnell; to the Committee on Pensions.

Also, a bill (H. R. 4916) granting a pension to Julia E. Forbes; to the Committee on Invalid Pensions.

By Mr. MILLS: A bill (H. R. 4917) for the relief of A. S. Rosenthal Co.; to the Committee on Claims.

Also, a bill (H. R. 4918) for the relief of Hans Roehl; to the Committee on Claims.

Also, a bill (H. R. 4919) to carry out the decree of the United States District Court for the Eastern District of Pennsylvania in the case of United States of America, owner of the steam dredge *Delaware*, against the steamship *A. A. Raven*, American Transportation Co., claimant, and to pay the amount decreed to be due said company; to the Committee on Claims.

By Mr. MINAHAN: A bill (H. R. 4920) granting a pension to William Cornick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4921) for the relief of Alice Barnes; to the Committee on Claims.

By Mr. MOORE of Illinois: A bill (H. R. 4922) granting a pension to Sarah E. Harkleroad; to the Committee on Invalid Pensions.

By Mr. MORRIS: A bill (H. R. 4923) for the relief of J. Walter Payne; to the Committee on Claims.

Also, a bill (H. R. 4924) for the relief of the heirs of Agnes Ingels, deceased; to the Committee on Claims.

Also, a bill (H. R. 4925) for the relief of the legal representatives of James H. Holladay, deceased; to the Committee on War Claims.

By Mr. OLDFIELD: A bill (H. R. 4926) granting a pension to William D. Henry; to the Committee on Invalid Pensions.

By Mr. PRALL: A bill (H. R. 4927) for the relief of Thomas Vincent Corey; to the Committee on Naval Affairs.

By Mr. RAMSEYER: A bill (H. R. 4928) granting an increase of pension to Susan Tutwiler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4929) granting a pension to Amanda Jordan; to the Committee on Invalid Pensions.

By Mr. RATHBONE: A bill (H. R. 4930) for the relief of Gabriel Roth; to the Committee on Claims.

By Mr. ROMJUE: A bill (H. R. 4931) granting a pension to Nancy Toles; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4932) for the relief of Jacob F. Webb; to the Committee on Military Affairs.

By Mr. ROSENBLUM: A bill (H. R. 4933) granting a pension to Oakley Randall; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4934) granting a pension to Samantha A. Broszt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4935) granting a pension to George W. Sampson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4936) granting a pension to Sanford L. Martin; to the Committee on Pensions.

By Mr. ROUSE: A bill (H. R. 4937) granting an increase of pension to Frances Gaskins; to the Committee on Invalid Pensions.

By Mr. SALMON: A bill (H. R. 4938) granting an increase of pension to Peter Boyd; to the Committee on Invalid Pensions.

By Mr. SANDERS of Indiana: A bill (H. R. 4939) granting a pension to Elizabeth A. Power; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4940) granting a pension to Elizabeth Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4941) granting an increase of pension to William R. Holt; to the Committee on Pensions.

By Mr. SCHALL: A bill (H. R. 4942) for the relief of Edward D. Bartlett; to the Committee on Claims.

Also, a bill (H. R. 4943) granting a pension to Cora F. Marlette; to the Committee on Invalid Pensions.

By Mr. SNYDER: A bill (H. R. 4944) granting a pension to Fannie M. Hawkins; to the Committee on Invalid Pensions.

By Mr. STRONG of Kansas: A bill (H. R. 4945) granting an increase of pension to Elizabeth Jane Fee; to the Committee on Pensions.

Also, a bill (H. R. 4946) granting an increase of pension to Julia Graves; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4947) granting an increase of pension to Rachel E. Kerby; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4948) granting an increase of pension to Carrie Wolbert; to the Committee on Invalid Pensions.

By Mr. SUTHERLAND: A bill (H. R. 4949) for the relief of Frank Buteau; to the Committee on Claims.

By Mr. SWEET: A bill (H. R. 4950) authorizing the Secretary of War to donate to the city of Natural Bridge, State of New York, one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 4951) granting a pension to Anson A. Hungerford; to the Committee on Pensions.

Also, a bill (H. R. 4952) granting an increase of pension to Harry D. Frasier; to the Committee on Pensions.

Also, a bill (H. R. 4953) granting a pension to Margaret Newell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4954) granting a pension to Allie W. Seeber; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4955) granting a pension to Susan F. Illingsworth; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4956) granting a pension to Ella L. Kipp; to the Committee on Invalid Pensions.

By Mr. SWOOPE: A bill (H. R. 4957) granting a pension to Mary M. Heard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4958) granting a pension to Catherine H. Jenkins; to the Committee on Invalid Pensions.

By Mr. THOMAS of Kentucky: A bill (H. R. 4959) granting a pension to Harry Miller; to the Committee on Pensions.

Also, a bill (H. R. 4960) granting a pension to Charles H. Calloway; to the Committee on Pensions.

Also, a bill (H. R. 4961) granting an increase of pension to Willie E. Vaughan; to the Committee on Pensions.

By Mr. THOMPSON: A bill (H. R. 4962) granting an increase of pension to Thomas Murphy; to the Committee on Pensions.

By Mr. TREADWAY: A bill (H. R. 4963) granting an increase of pension to Ellen Cranston; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4964) granting an increase of pension to Mary Whalan; to the Committee on Invalid Pensions.

By Mr. VOIGT: A bill (H. R. 4965) granting a pension to Fred H. Helms; to the Committee on Pensions.

By Mr. WATKINS: A bill (H. R. 4966) to clear the military record of Alfred O. Huestis of desertion; to the Committee on Military Affairs.

Also, a bill (H. R. 4967) to clear the military record of Cecil C. Warner from the stigma of dishonorable discharge from the United States Navy; to the Committee on Naval Affairs.

By Mr. WOOD: A bill (H. R. 4968) for the relief of Crawford Miller; to the Committee on Claims.

By Mr. WOODRUFF: A bill (H. R. 4969) granting a pension to May V. Dusenbury; to the Committee on Invalid Pensions.

Also, a bill (H. R. 4970) granting a pension to Sarah J. Skeels; to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

398. By the SPEAKER (by request): Petition of the City Council of the city of Chicago, requesting that a Federal survey be made of Chicago River and Calumet River traffic with reference to the problem of fixed-bridge construction; to the Committee on Interstate and Foreign Commerce.

399. Also (by request): Petition of citizens of the United States, approving Secretary Mellon's tax-reduction plan; to the Committee on Ways and Means.

400. By Mr. ABERNETHY: Petition of Hon. Edward Clark, mayor of the city of New Bern, and other citizens of that city, favoring a law prohibiting the shipment of firearms by parcel post or express to the State of North Carolina without the proper registration and permit in accordance with the laws of the State of North Carolina; to the Committee on Interstate and Foreign Commerce.

401. By Mr. AYRES: Petition of sundry persons of Wichita, Kans., indorsing Mellon tax plan; to the Committee on Ways and Means.

402. By Mr. CELLER: Petition of the Peelile Co., William Spykehoven, and another citizen of Brooklyn, N. Y., opposing bonus legislation and favoring the reduction of taxes; to the Committee on Ways and Means.

403. Also, petition of Fire, Marine & Liability Brokers' Association of the City of New York and Sidney Blumenthal & Co. (Inc.), of New York City, favoring Mellon's tax-reduction plan and opposing the enactment of bonus legislation; to the Committee on Ways and Means.

404. Also, petition of the Merchants Association of New York, Morgan, French & Co. (Inc.), and American Paper & Pulp Co., of New York City, N. Y., urging the passage of tax bill and opposing the enactment into legislation of a soldiers' bonus; to the Committee on Ways and Means.

405. Also, petition of the Delaware & Hudson Co., New York City, N. Y., approving tax-reduction plan and opposing the passage of a bonus; to the Committee on Ways and Means.

406. Also, petition of Chas. M. Higgins & Co. and L. R. Pratt, of Brooklyn, N. Y., approving the tax-reduction plan and opposing the bonus; to the Committee on Ways and Means.

407. Also, petition of the James J. Matchett Co. and the John Levy Galleries, New York City, N. Y., favoring tax reduction and opposing bonus legislation; to the Committee on Ways and Means.

408. Also, petition of committee of employees of the Mutual Life Insurance Co. of New York, favoring the tax bill and opposing bonus legislation; to the Committee on Ways and Means.

409. Also, petition of officers and employees of the Titus Blatter & Co., New York City, N. Y., favoring the passage of the tax bill; to the Committee on Ways and Means.

410. Also, petition of J. G. Taylor, Massena, N. Y., urging Congress to reduce taxes and oppose the bonus; to the Committee on Ways and Means.

411. Also, petition of United Real Estate Owners' Association, New York City, N. Y., urging reduction of taxes by Congress; to the Committee on Ways and Means.

412. Also, petition of Fred G. Wolf, New York City, N. Y., favoring reduction of taxes and opposing bonus; to the Committee on Ways and Means.

413. Also, petition of F. O. Cedar Works (Ltd.), New York City, N. Y., favoring Secretary Mellon's tax-reduction plan; to the Committee on Ways and Means.

414. Also, petition of Diamond Saw & Stamping Works, Buffalo, N. Y., favoring the reduction of taxes; to the Committee on Ways and Means.

415. Also, petition of the Beckwith-Chandler Co., Newark, N. J., favoring tax reduction and opposing the bonus; to the Committee on Ways and Means.

416. Also, petition of John Hood and R. Whitel, of Niagara Falls, N. Y., favoring tax reduction; to the Committee on Ways and Means.

417. Also, petition of Southern Metal Trade Association, Atlanta, Ga., favoring tax reduction; to the Committee on Ways and Means.

418. By Mr. FAUST: Petition of rural carriers of Cass County, Mo., favoring passage of maintenance bill; to the Committee on the Post Office and Post Roads.

419. By Mr. FAVROT: Petition of A. B. Moore and other citizens of Baton Rouge, La., favoring a reduction of taxes; to the Committee on Ways and Means.

420. By Mr. FULLER: Petition of Cross, Roy & Saunders, of Chicago, Ill., favoring the Morgan bill (H. R. 91) repealing the tax on telegraph and telephone messages; to the Committee on Ways and Means.

421. Also, petitions of sundry citizens of Chicago, Ill., favoring reduction of Federal taxation as recommended by the Secretary of the Treasury; to the Committee on Ways and Means.

422. Also, petition of the American Paper & Pulp Association opposing a bonus for able-bodied veterans and favoring reduction of taxes as proposed by Secretary Mellon; to the Committee on Ways and Means.

423. Also, petitions of the Nelson Knitting Co., of Rockford, Ill., and sundry citizens of Rockford, De Kalb, and Chicago, Ill., favoring the reduction of Federal taxation as proposed by Secretary Mellon; to the Committee on Ways and Means.

424. Also, petition of the United Association of Post Office Clerks of the United States, favoring reclassification and increase of the salaries of post-office employees; to the Committee on the Post Office and Post Roads.

425. By Mr. HUDSON: Petition of the Ladies Auxiliary No. 93 of Branch No. 122, Postal Employees, Lansing, Mich., favoring a fair adjustment of postal salaries commensurate with

the arduous labor and responsibilities of the postal employees; to the Committee on the Post Office and Post Roads.

426. By Mr. ROBINSON of Iowa: Petition of citizens of the third congressional district of Iowa, favoring Mellon's tax-reduction plan; to the Committee on Ways and Means.

427. By Mr. SINCLAIR: Petition of the board of railway commissioners of the State of North Dakota, in favor of amending the transportation act for the purpose of restoring to the citizens the rights guaranteed under the Constitution; to the Committee on Interstate and Foreign Commerce.

428. By Mr. SNYDER: Petition of employees of the Remington Cash Register Co., Ilion, N. Y., in favor of reduction of taxes and against the bonus for able-bodied veterans; to the Committee on Ways and Means.

429. Also, petition of employees of the Remington Arms Co., Ilion, N. Y., in favor of the reduction of taxes and against the bonus for able-bodied veterans; to the Committee on Ways and Means.

430. By Mr. WOODRUM: Petition of Benjamin Powell and others, relating to House bills 186 and 506, providing for increase in pay of employees of Government Printing Office; to the Committee on Printing.

## SENATE.

TUESDAY, January 8, 1924.

The Chaplain, Rev. J. J. Muir, D. D., offered the following prayer:

Another day has come from Thy gracious hand, O God, another day of privileges. May we recognize these as gifts to be used acceptably before Thee. Thou knowest the very many besetments that constantly assail us. When we would do good, too often evil is present with us. So direct our thoughts, so influence our conduct, that while we may be prone to wander, Thou wilt realize to us Thine infinite sufficiency and guide us ever to Thy glory. Through Christ our Lord. Amen.

### NAMING A PRESIDING OFFICER.

The Secretary (George A. Sanderson) read the following communication:

UNITED STATES SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, D. C., January 8, 1924.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. IRVINE L. LENROOT, a Senator from the State of Wisconsin, to perform the duties of the Chair this legislative day.

ALBERT B. CUMMINS,  
President pro tempore.

Mr. LENROOT thereupon took the chair as Presiding Officer.

### THE JOURNAL.

The reading clerk proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

### PETITIONS AND MEMORIALS.

Mr. PHIPPS. By request I send to the desk a petition signed by several thousand citizens of Colorado asking that Congress provide for the use of light wines and beer. I move that it be referred to the Committee on the Judiciary.

The motion was agreed to.

Mr. STERLING. I present a statement, in the nature of a petition, from the business men of Hartford, S. Dak., favoring the passage of the agricultural diversification aid bill, being Senate bill 1597. I ask that the petition may be printed in the Record without the names and referred to the Committee on Agriculture and Forestry. It is very short.

There being no objection, the petition was referred to the Committee on Agriculture and Forestry and ordered to be printed in the Record, as follows:

### SENATE BILL 1597.

To the Hon. Senator THOMAS STERLING:

We the undersigned business men, members of the Hartford Boosters Club, hereby heartily approve the so-called Federal agricultural diversification aid bill, and urgently request that you use all influence and utmost effort in obtaining the passage of this bill. We consider it the soundest "aid bill" offered as a relief measure for the recovery of the northwest farmer up to the present time, barring none.